



Black Diamond Training and Safety Solutions
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Student Handbook

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INTRODUCTION

Message from the CEO- Anne Harris

As CEO of this organisation, I can assure students that I will fully support the implementation of all quality, management and operational functions articulated in this student handbook. I welcome your input and advice to ensure myself and the Black Diamond Training team (hereafter 'Black Diamond') adhere to our underlying philosophy of continuous quality improvement in all aspects of our operations.

Context

Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training sector. ASQA regulates courses and training providers according to the **Standards for Registered Training Organisations (RTOs) 2015 (Standards)** to ensure nationally approved quality standards for training are met. The focus of these standards is the demonstration of preparedness of registered training organisations to deliver quality training and assessment services and focus on continuous improvement.

Services

All programs offered by Black Diamond are aligned to the relevant Training Packages for quality assurance and best practice.

The qualifications currently on our scope of registration are:

- RII30719 Certificate III in Emergency Response and Rescue
- RII40420 Certificate IV in Underground Coal Operations
- RII50920 Diploma of Underground Coal Mining Management
- RII60320 Advanced Diploma of Underground Coal Mining Management
- TAE40122 Certificate IV in Training and Assessment

Black Diamond supplies feedback forms to all clients at the end of each program, as student feedback has been identified as an important and valuable factor in monitoring and developing business practices and quality training and ensuring the ever-changing needs and expectations of clients are being met. The CEO also welcomes feedback from other improvement opportunities such as risk assessment, student suggestions, complaints and appeals, validation sessions and audit reports.

Location

Our primary location is at 64 Meads Avenue, Tarrawanna NSW. We have a training room with audio-visual equipment, air-conditioning, and adequate lighting. There are desks and tables and break out areas. Students will have access to Wi-Fi functionality, a photocopier and laser printer. Most courses delivered by Black Diamond are designed to be delivered face to face for students by expert trainers that hold all relevant industry qualifications and experience. Several courses can also be completed by flexible-delivery (distance education).

How do I enrol?

Enrolment is initiated by you contacting Black Diamond on Ph: 0477 455 002 or by emailing and we will despatch to you by suitable means an enrolment form and literature on the course(s) being considered and any other relevant documentation.

You may also visit our website for the further information at:

www.blackdiamondtraining.com.au

Legislative Requirements

Registered training organisations (RTOs) are subject to legislation pertaining to training and assessment, as well as business practice. Black Diamond will comply with relevant Commonwealth, State or Territory legislation and regulatory requirements relevant to its intended scope of registration.

Black Diamond will also inform all staff and clients of the legislative and regulatory requirements that affect their duties or participation in vocational education and training. Black Diamond recognises that compliance with legislative requirements underpins the effective implementation of its operations and ensures accountability and transparency of activities of both management and staff.

Examples of legislation relevant to the training business includes but is not limited to:

Commonwealth legislation:

- Copyright Act 1968
- Privacy Act 1988/Privacy Amendment Act 2012/Privacy Regulation 2013
- Sex Discrimination Act 1984
- Racial Discrimination Act 1975
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1987
- National Vocational Education and Training Regulator Act 2011
 - Standards for Registered Training Organisations 2015

NSW legislation:

- Children and Young Persons (Care and Protection) Act NSW 1998
- Disability Inclusion Act 2014
- NSW Anti-Discrimination Act 1977
- Australian Consumer Law 2011
- Vocational Education and Training Act 2005
- Privacy and Personal Information Protection Act 1998
- Work Health and Safety Act 2011/ Work Health and Safety Regulation 2017

Work, Health and Safety Policy

The Work Health and Safety Act 2011 outlines the requirements of an RTO in establishing and maintaining workplace health and safety standards. The requirements of an RTO as specified in the above mentioned Act are to:

- Secure the health, safety and welfare of employees and other persons at work
- Eliminate, at the source, risks to health, safety or welfare of employees and other persons at work
- Ensure that the health and safety of members of the public is not placed at risk by the conduct of undertakings by employers and self employed persons
- Provide for the involvement of employees, employers, and organisations representing those persons, in the formulation and implementation of health, safety and welfare standards.

Black Diamond is responsible for providing the following standards as part of its commitment to employees and clients:

- A COVID safety plan
- A safe workplace, with a safe system of work
- Adequate workplace health and safety professional development for our students, employees, management and stakeholders
- Properly maintained facilities and equipment
- A clean, tidy, suitably designed workplace with the safe storage of goods.

Harassment and Discrimination Policy

Under Australian law it is a requirement of every workplace to ensure it provides an environment free from all forms of harassment and discrimination, including victimisation and bullying. In doing so, all staff and students are treated fairly and have the opportunity to feel safe, valued and respected.

By definition, harassment includes any form of behaviour that is unwanted, unwelcome or unreciprocated by relevant persons. This may manifest as verbal or physical harassment but includes any acts that may be perceived as humiliating, offensive, intimidating, threatening, discriminatory or otherwise contributing to an unpleasant workplace or experience for the persons.

Specific principles:

- It is the right of all staff and students to work and study in an environment free of any form of harassment and discrimination
- All reports of harassment and discrimination will be treated seriously, in an unbiased, respectful and sensitive manner. Any form of harassment and discrimination is considered unacceptable behaviour and will not be tolerated by Black Diamond.
- When Black Diamond management is informed of any event involving harassment or discrimination, it is their responsibility to take immediate and appropriate action to address it.

- In dealing with all complaints, the rights of all individuals involved should be respected and confidentiality should be maintained.
- It is the intention of Black Diamond management that a process of discussion, cooperation and conciliation will resolve all complaints. The aim is to achieve an acceptable outcome for the involved parties while minimising any potential damage to the organisation.
- Both the person making the complaint and the person against whom the complaint has been made will receive information, support and assistance in resolving the issue from Black Diamond.
- Victimisation is unacceptable and will not be tolerated. No person making a complaint or assisting in the investigation of a complaint should be victimised
- Harassment or discrimination should not be confused with legitimate comment and advice (including constructive feedback) given appropriately by management or trainers. Managers and trainers should be conscious of how they present their feedback to ensure the message is not misinterpreted.
- Staff and students should not make any frivolous or malicious complaints. All staff and students are expected to participate in the complaint resolution process in confidence that the procedures are designed to ensure fair resolution.

Working with Persons Under 18 Years of Age

Students under 18 years of age cannot enrol with Black Diamond.

Contractual agreement

Students who enrol in a training program with Black Diamond should be aware that they are entering into a contractual agreement. With a view to ensuring all students are fully aware of their rights and obligations, Black Diamond will design agreements, enrolment forms, service agreements or similar using a logical format and simple English. This may include, but is not limited to:

- Wording that allows the perspective student to know what he / she is agreeing to
- Clearly explained disclaimers
- No misleading or deceptive behaviour
- No actions, omissions or dialogue (written or verbal) that may force or coerce the student
- Fair dealings for disadvantaged students

Privacy Principles

Privacy Principles that are strictly applied to all aspects of Black Diamond's operations include:

Collection - Black Diamond will only collect necessary information pertaining to one or more specific operations. The student will be informed as to the purpose for which details are being collected.

Use and disclosure - Black Diamond will ensure student personal information is not used or disclosed for secondary purposes without obtaining explicit consent from the student, unless a prescribed exception applies.

Data quality - Black Diamond will take all reasonable measures to ensure that all students' personal information that is collected, used or disclosed is accurate, current and complete.

Data security - Black Diamond will take all reasonable measures to ensure all collected students' personal information is protected from misuse, loss or damage, and that all data and record storage is secure from unauthorised access, modification or disclosure.

Openness - When a student makes an enquiry in relation to information collected, Black Diamond will explain what information is held, for what purpose it is held and what procedures outline the collection and use of information.

Access and correction - Black Diamond will allow students access to personal information held in all circumstances unless prescribed exceptions apply. If the student identifies errors within the information, Black Diamond will correct and update the file.

Unique identifiers - Black Diamond will not assign students unique identifiers except when it is necessary for efficiency of operations. Commonwealth Government identifiers, such as Medicare numbers or Tax File Numbers, will only be used for the purposes of which they were issued.

Anonymity – Black Diamond will provide students the opportunity to interact with the business without requiring the student to make their identity known in any circumstances it is practical and possible to do so.

Trans-border data flows - Black Diamond privacy protection principles apply to the transfer of data throughout Australia.

Sensitive information - Black Diamond will request specific consent from a student in circumstances where it is necessary to collect sensitive information. Sensitive information may include but is not limited to; information relating to a student's health, criminal record, racial or ethnic background.

STUDENT PROGRESS

Please feel free to ask your trainer and assessor or administration staff at any time for a printout of your progress.

If a student fails to make adequate progress or fails to complete assessment tasks in a timely manner, the RTO shall provide to the student or employer a "notice of intention to withdraw" and the student / employer shall have 14 days to respond to that formal notice. Extensions of time and additional support if needed may be granted. However, a nil or insufficient response will result in a not yet competent or unsatisfactory result recorded. The CEO of Black Diamond may then initiate withdrawal of a student for unsatisfactory progress and shall notify the student or employer as applicable. There is an appeals policy as detailed in this student handbook.

FEES

Black Diamond operates as a 'fee for service' training business. Where less than \$1,500 is collected prior to the commencement of training or where the total course fee is less than \$1,500, a fee protection process is not required. These fees are paid by/charged to the student. Where the total course fee is more than \$1,500, Black Diamond will observe the requirements of Schedule 6 of the Standards for RTOs 2015. This schedule outlines requirements for protecting fees prepaid by individual students or prospective students for services.

Fee information is available via several sources including the company website, course outlines, promotional material or by direct email correspondence with the company.

It is our policy that the course/unit fee will be *all-inclusive*. Students will not be 'surprised' by unexpected requirements, fees or expenses.

Depending on the course, an enrolment fee of up to \$1500 will be required from each student upon enrolment and the balance of fees are to be paid in instalments not exceeding \$1500. Instalment one is due at the time of enrolment and other instalments are due as per a payment plan signed off by each student. Invoices shall be generated for each student with all payment schedules listed.

RPL Fees are usually 50% of the full course fees or by negotiation prior to acceptance. Individuals seeking an RPL process will be charged a maximum of \$1500 up-front. A payment plan will be established and fees will not exceed \$1500 in any instalment.

Withdrawal fee - No withdrawal fee is applicable.

Re-submit fee - No re-submit fee applies.

Re-assessment fee - No re-assessment fee applies.

Further information on fees is provided in the course outline for each course offered.

Produce partial completion statement of attainment - No fee applies to produce a statement of attainment when the student has partially completed the training program and must withdraw.

Re-print certification

Where the student requests a new copy of his / her certification, the following service fees apply:

- Statement of attainment \$50.00+GST
- Qualification (with academic transcript) \$50.00+GST

Payment Options - Payments can be made via electronic funds transfer or purchase order.

Fees must be paid by the due date agreed. This will be clearly stated prior to your enrolment. No Certificates/Statement of Attainments will be issued unless full fees have been paid.

GST

All Nationally Recognised Qualifications, Accredited Courses and Units of Competency delivered by Black Diamond are GST-Free in accordance with the Australian Taxation Office GST Rulings GSTR 2000/27, GSTR 2001/1 and GSTR 2003/1.

Payment Receipts

A tax invoice/receipt will be issued for all payments.

Contact Us

Black Diamond Training and Safety Solutions
64 Meads Avenue, Tarrawanna NSW 2518
Phone: 0477 455 002
Email: harrisgroup@ozemail.com.au

Refunds

The student has rights as a consumer, including but not limited to any statutory cooling-off period (where applicable) and the student's right to obtain a refund for services not provided by Black Diamond in the event that the:

- Arrangement is terminated early, or
- Black Diamond fails to provide the agreed services.

Black Diamond has a fair and reasonable refund policy.

Once enrolled and booked into a training course, the enrolment fee (initial course payment fee) is non-refundable.

Where a student commences the course, but leaves prior to completing the course, the fees payable by them shall be on a pro-rata basis, according to the number of units that have been attempted and the total course cost. If study guides and assessment tools or guides have already been provided for the unit to the student, that would be taken as the unit having been attempted and as such no refunds are applicable in such cases.

To apply for a refund of any course fees, students must provide written notice to the CEO of Black Diamond. Requests of refunds must be lodged within 2 weeks of their notice to withdraw. Students are to use the Refund Request form available from their Black Diamond trainer or any Black Diamond Staff member. It is also available on the Black Diamond website. If study guides and assessment tools or guides have already been provided for the unit to the student, then no refunds are applicable for those units.

For any face-to-face short courses, if less than 48 hours' notice is provided for cancellation, then 50% of the course fees shall be payable.

RECORDS

Black Diamond has a clearly documented quality administrative and records management system in place to secure the accuracy, integrity and currency of records, to keep documentation up-to-date and to secure any confidential information obtained by Black Diamond and individuals or organisations acting on its behalf.

Data is collected and stored in accordance with the processes outlined in this document and Black Diamond's record management procedures ensure timely and accurate records inform the continuous improvement processes of Black Diamond. In addition, these records management procedures will ensure that all documentation providing evidence of compliance to the essential standards of registration is accurately maintained.

Record keeping Procedures

Upon enrolment, student's details will be entered into the Black Diamond student management system. This process initiates the establishment of the student's individual file which is then used to record all future details pertaining to that person. The file is retained by Black Diamond in accordance with all rules and procedures outlined by ASQA. Black Diamond is committed to maintaining the accuracy, integrity and currency of all student files, as well as ensuring appropriate security of all records to uphold confidentiality and protect student privacy.

Completed assessments

Each and every assessment submitted by every student will be retained for a minimum period of six (6) months.

When in paper format, student's work will be filed according to the competency/unit number, competency/unit cluster or alphabetically according to the students' names. Individual student records will be stored in a lockable steel filing cabinet in a locked secure office area. If the files are stored in a location where student or public access is possible, the cabinets will remain locked.

For ease of application and consistency, a similar filing process will be used for electronic files. The electronic records are stored utilising AVETMISS compliant software and access is restricted by a password system.

Results of assessment records

Student assessment results will be recorded electronically within the Black Diamond database system. This information may be used to provide annual competency completion reports and/or AVETMISS reports, as required.

- Sufficient information to re-issue the testamur, if required, will be retained
- Results of assessment will be retained for thirty (30) years

Security

Black Diamond ensures further security of records by complying with the storage requirements detailed in ASQA's General directive: *Retention requirements for completed student assessment items*, 22 June 2012. This directive includes requirements for storage including: safeguards against unauthorised access, fire, flood, termites or any other pests, and to ensure that copies of records can be produced if the originals are destroyed or inaccessible. Black Diamond enhances its compliance with this directive by protecting electronic files with up-to-date virus protection, firewall and spyware protection software.

The data management system is web based and offers the security and integrity expected of a reputable backup storage system. In addition, electronic records are copied to a portable hard drive, at least once in every four (4) week period.

Black Diamond software and hardcopy systems will retain student's results for a period of no less than thirty (30) years. If requested, enrolment information, training and assessment information or results of assessment will be provided in electronic format wherever possible.

Ceasing operation

In the event that Black Diamond ceases to operate, its records will be transferred to ASQA in the appropriate format and detail as specified by the Department at the time of ceasing RTO operations.

All other records including training records, taxation records, business and commercial records will be retained for a period of at least seven (7) years.

Black Diamond will ensure that any confidential information acquired by the business, individuals, or committees or organisations acting on its behalf is securely stored.

Access to Records

Access to individual student training records will be limited to those required by the Standards, such as:

- Trainers and assessors to access and update the records of the students whom they are working with
- Management staff as required to ensure the smooth and efficient operation of the business
- Officers of ASQA or their representatives for activities required under the standards for registered training organisations

Within thirty (30) days of successful completion of all relevant competencies within a qualification, the student will be entitled to receiving the full qualification. The certificate and academic record and / or statement of attainment will be produced and signed by Black Diamond management or authorised representative and presented to the student.

A scanned electronic copy of all signed qualifications issued will be converted to PDF format and secured in the student's file.

Student Access to Records

Students have the right to request information about or have access to their own individual records. Black Diamond trainers and assessors or administration staff will provide the requested information or access. Students also have the right to request a hard copy of their own individual file that can be supplied as a printout from records retained within the data management system.

Students should feel free to ask their Black Diamond trainer and assessor or administration staff at any time for a transcript showing their progress.

Privacy

Black Diamond will comply with all legislative requirements including the Privacy Act 1988 and any guidance as directed by ASQA.

Recognise Qualifications of Another RTO

Black Diamond will recognise all AQF qualifications and statements of attainment issued by any other RTO. If any ambiguity is detected when validating a student's certification, Black Diamond will seek verification from the relevant RTO before recognising the qualification or statement of attainment.

Procedure for Recognition of Qualifications

Students enrolling with Black Diamond will be made aware of the recognition of qualifications policy by our staff at the time of enrolment to offer the opportunity of recognition of relevant qualifications or statements of attainment prior to the commencement of training. Our trainers will remind students of the policy progressively throughout the duration of their course.

When a student presents an AQF qualification or statement of attainment to a trainer or staff member, a copy of the certificates will be taken and submitted to Black Diamond Training for verification. Black Diamond will verify the authenticity of the qualification or statement of attainment.

The verified copy of the qualification or statement of attainment is placed in the student's file. Once verification of the qualification or statement of attainment has been established, Black Diamond staff will inform the student and offer exemption from the relevant unit(s) of competency. Staff will ensure the student is aware of and understands what component(s) of their training and assessment are affected.

Black Diamond staff will update the student's records accordingly.

Credit Transfer

Credit transfer refers to the transferral of academic credit obtained by students through participation in courses or national training package qualifications with other RTOs, towards a qualification offered by Black Diamond. Credit transfer is granted on the basis that the credit validates the student's competency within the relevant qualification / unit of competence. Credit transfer of a qualification / unit of competence is available to all students enrolling in any training program offered by Black Diamond.

For more Credit transfer information please visit contact us.

Unique Student Identifier

The [Unique Student Identifier \(USI\)](#) scheme enables students to access a single online record of their VET achievements. The scheme also allows for reliable confirmation of these achievements by employers and other RTOs. The online system provides each student with a USI. Black Diamond will ensure that student's USIs are provided or applied for and then verified at the time of enrolment.

TRAINING AND ASSESSMENT

Black Diamond will apply the *Principles of Assessment* and the *Rules of Evidence*.

Principles of assessment

To ensure quality outcomes, assessment should be:

- Fair
- Flexible
- Valid
- Reliable

Fair

Fairness in assessment requires consideration of the individual student's needs and characteristics, and any reasonable adjustments that need to be applied to take account of them. It requires clear communication between the assessor and the student to ensure that the student is fully informed about, understands and is able to participate in the assessment process, and agrees that the process is appropriate. It also includes an opportunity for the person being assessed to challenge the result of the assessment and to be re-assessed if necessary.

Flexible

To be flexible, assessment should reflect the student's needs; provide for recognition of competencies no matter how, where or when they have been acquired; draw on a range of methods appropriate to the context, competency and the student; and support continuous competency development.

Valid

Assessment is valid when the process is sound and assesses what it claims to assess. Validity requires that:

- Assessment against the units of competency must cover the broad range of skills
- Knowledge that is essential to competent performance
- Assessment of knowledge and skills must be integrated with their practical application
- Judgement of competence must be based on sufficient evidence (that is, evidence gathered on a number of occasions and in a range of contexts using different assessment methods). The specific evidence requirements of each unit of competency provide advice on sufficiency.

Reliable

Reliability refers to the degree to which evidence presented for assessment is consistently interpreted and results in consistent assessment outcomes. Reliability requires the assessor to have the essential competencies in assessment and relevant vocational competencies (or to assess in conjunction with someone who has the vocational competencies). It can only be achieved when assessors share a common interpretation of the assessment requirements of the unit(s) being assessed.

Rules of Evidence

These are closely related to the principles of assessment and provide guidance on the collection of evidence to ensure that it is:

- Valid
- Sufficient
- Authentic
- Current

Valid

Assessment is valid when the process is sound and assesses what it claims to assess. Validity requires that:

- Assessment against the units of competency must cover the broad range of skills
- Knowledge that is essential to competent performance
- Assessment of knowledge and skills must be integrated with their practical application
- Judgement of competence must be based on sufficient evidence (that is, evidence gathered on a number of occasions and in a range of contexts using different assessment methods). The specific evidence requirements of each unit of competency provide advice on sufficiency.

Sufficient

Sufficiency relates to the quality and quantity of evidence assessed. It requires collection of enough appropriate evidence to ensure that all aspects of competency have been satisfied and that competency can be demonstrated repeatedly. Supplementary sources of evidence may be necessary. The specific evidence requirements of each unit of competency provide advice on sufficiency.

Authentic

To accept evidence as authentic, an assessor must be assured that the evidence presented for assessment is the student's own work.

Current

In assessment, currency relates to the age of the evidence presented by a student to demonstrate that they are still competent. Competency requires demonstration of current performance, so the evidence collected must be from either the present or the very recent past.

Training Guarantee

In the extremely unlikely event of a business interruption or training failure by Black Diamond or a third-party delivering training and assessment on its behalf, students may be transferred to another similar course with another RTO or approved third party at no additional cost to the student, for example. Black Diamond will comply with ASQA requirements and exit strategies for any student's enrolments at risk.

RECOGNITION OF PRIOR LEARNING

The recognition of prior learning (RPL) process will be offered to and explained to all students.

Students who believe they have already obtained current skills and knowledge that would otherwise be covered in the qualification / unit of competence for which they intend to attain, should apply for RPL at the time of enrolment.

As part of our enrolment policy, trainers will advise students of the availability of RPL, explain what the process involves and how it relates to the attainment of the qualification in some circumstances. Trainers will remind students of this option progressively throughout their time in training, in order to provide multiple opportunities for students to engage in the RPL process.

The student will be charged 50% of the scheduled course fee. This includes the initial application, consultation either in person or via phone with the suitably qualified assessor, the RPL assessment and (if successful) certification.

Where the student is not able to achieve the full qualification through RPL and gap training is required, a training plan and costing structure will be mutually agreed upon.

CLIENT SERVICES

Black Diamond is committed to delivering high quality services that support students throughout their training and assessment. This commitment is based on a client focused operation that produces the best possible outcome for students. We will ensure students are informed of the services they are to receive, their rights and obligations, and the responsibilities of the RTO. Students who undertake training with Black Diamond receive every opportunity to successfully complete their chosen training program. We will provide students with information prior to commencement of services including any subcontracting arrangements affecting the delivery of training and/or assessment.

Student advice

Black Diamond takes a systematic approach to establish and recognise the needs of each client. It is a requirement that all staff members do their utmost to meet the needs of students. Where a student's need is outside the scope or skill of the organisation they will be referred to an appropriate service or an alternate training organisation.

Black Diamond delivers specialised training and assessment services¹. As such, it is vital that all students are informed of and understand the extent of the training course that they are enrolling in. We have in place a process and mechanism to provide all clients information about the training, assessment and support services to be provided, and about their rights and obligations, prior to enrolment or entering into an agreement.

In summary, Black Diamond will provide:

- Training programs and services that promote inclusion and are free from discrimination
- Support services, training, assessment and training materials to meet the needs of a variety of individual students
- Consideration of each individual's needs to provide the best opportunity for skill development and attainment of qualifications that can lead to further training or employment
- Opportunity for consultation between staff and students so that all aspects of individual circumstances can be taken into consideration when planning training programs
- Consideration of the views of students' community, government agencies and organisations, and industry when planning training programs
- Access to information and course materials in a readily available, easily understood format
- Information to assist students in planning their pathway from school or the community to vocational education and training

While Black Diamond guarantees that all students will receive the full training services paid for, it does not guarantee a student will successfully complete the course in which they are enrolled or that the student will obtain a particular employment outcome outside the control of Black Diamond.

Student information policy

Black Diamond will provide all relevant information and directions to each student prior to enrolment to enable the student to make informed decisions about undertaking training. This information will be clear and readily available in print or referral to an electronic copy. This will include details required to source this student handbook, which shall be available as a PDF document on our website: www.blackdiamondtraining.com.au

Black Diamond will provide the following information specific to each student:

¹ Services include:

- (a) Pre-enrolment materials;
- (b) Study support and study skills programs;
- (c) Language, Literacy and Numeracy (LLN) programs or referrals to these programs;
- (d) Equipment, resources and/or programs to increase access for students with disabilities;
- (e) Mediation services or referrals to these services;
- (f) Flexible scheduling and delivery of training and assessment;
- (g) Counselling services or referrals to these services;
- (h) Information technology (IT) support;
- (i) Learning materials in alternative formats, for example, in large print; and
- (j) Learning and assessment programs customised to the workplace.

- the code, title and currency of the AQF qualification, skill set or VET course to which the student is to be enrolled, as published on the National Register
 - a) the services the RTO will provide to the student including the:
 - estimated duration of the services
 - expected locations at which the services will be provided
 - expected modes of delivery
 - name and contact details of any subcontractor which will provide training and assessment to the student
 - the student's obligations including any requirements that Black Diamond requires the student to meet to enter and successfully complete their chosen AQF qualification, skill set or VET course
 - any materials and equipment that the student must provide; the educational and support services available to the student

Where there are any changes to agreed services, Black Diamond will advise the student in writing and with a follow-up telephone call as soon as practicable, in relation to any new third-party arrangements, a change in ownership or changes to existing third party arrangements.

Access and Equity

Black Diamond is committed to practicing fairness and providing an equal opportunity for all current and potential students to access and participate in learning, and to achieve their learning outcomes regardless of age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location that may present a barrier to access, or any other perceived difference in class or category. Black Diamond ensures that its practices are as inclusive as possible and do not unreasonably prevent any clients from accessing its services. We will address access and equity matters as a nominated part of operational duties.

If a student identifies with one or more of the following priority groups, he/she may be able to receive additional assistance:

- Aboriginal and / or Torres Strait Islander people
- Carers of people who are ill, aged or who have a disability
- People with a disability
- Women who are returning to education and training
- Women who are seeking training opportunities in non-traditional roles
- Australian South Sea Islanders
- Parental job seekers
- People with English language, literacy and numeracy needs
- Mature aged workers who require up skilling
- Long term unemployed and disadvantaged jobseekers
- People from different cultural and ethnic backgrounds
- People who speak a language other than English

Black Diamond has developed this framework to guide and inform all staff and students of their obligations regarding access and equity. Upon induction into Black Diamond, all staff are provided with copies of the policies which they must adhere to throughout all their operations as a Black Diamond staff member. Students are made aware of the access and equity

provisions via the student handbook and informed of their rights to receive access and equity support and to request further information. If any student or staff member have issues or questions regarding access and equity, or believes they have been treated unfairly, they will be directed to Black Diamond management for consultation.

Language, Literacy and Numeracy Assistance

Black Diamond course information and learning materials contain written documentation and, in some cases, numerical calculations.

Black Diamond recognises that not all students will have the same level of ability in relation to reading, writing and performing calculations. When an issue is identified by one of our staff or requested by a student, then language, literacy and numeracy (LLN) support will be provided. In the event that a student's needs exceed the ability of our staff to assist, the student will be referred to an external support agency so they have the opportunity to obtain the skills required to complete the training program.

Some free LLN support services available online include:

- Reading Writing Hotline 1300 655 506 www.readingwritinghotline.edu.au
- LiteracyNet www.literacynet.org/
- Ideas that work www.ideasthatwork.com.au/what-works-for-lln/

Student support

Student support policy

Black Diamond will assist all students in their efforts to complete training programs by all methods available and reasonable. We will determine the support needs of individual students and provide access to the educational and support services necessary for the individual student to meet the requirements of the AQF qualification, skill set or VET course as specified in training packages or VET accredited courses. Black Diamond will continue to develop strategies to make support available where gaps are identified.

Trainers are responsible for ensuring that all students are aware they can contact their trainer or other staff members in the event that they are experiencing difficulties with any aspect of their studies. Staff will ensure students have access to the full resources of Black Diamond to assist them in achieving the required level of competency in all nationally recognised qualifications.

In the event that a student is experiencing personal difficulties, training staff will encourage the student to contact Black Diamond who will provide discreet, personalised and confidential assistance according to the nature of the difficulties.

In the event that a student's needs exceed the capacity of the support services we can offer, they will be referred to an appropriate external agency. Extensive information regarding support agencies, resources and services may be sourced online. Our staff members will assist students to source appropriate support.

Flexible delivery and assessment procedures

Black Diamond recognises that some people are better suited to learning via teaching methods not usually obtained in the traditional classroom setting. With some minor adjustments to teaching and assessment methods, a student who is experiencing difficulty learning and achieving the desired results in the traditional setting may show considerable improvements.

The staff and management of Black Diamond respect these differences among students and will endeavour to make any necessary adjustments to their methods in order to meet the needs of a variety of students. For example, the inability to complete a written assessment will not be interpreted as a sign of incompetence, provided the student can verbally demonstrate competency.

Acceptable adjustments to teaching and assessment methods may include but are not limited to; having a trainer read assessment materials to students, or having a student's spoken responses to assessment questions recorded.

Black Diamond staff will pursue any reasonable means within their ability to assist students in achieving the required competency standards. In the event that a student's needs exceed the capacity of the support services we can offer, they will be referred to an appropriate external agency.

Reasonable adjustment

Reasonable adjustment means adjustments that can be made to the way in which evidence of student performance can be collected. Whilst reasonable adjustments can be made in terms of the way in which evidence of performance is gathered, the evidence criteria for making competent / not yet competent decisions (and / or awarding grades) should not be altered in any way. That is, the standards expected should be the same irrespective of the group and / or individual being assessed; otherwise comparability of standards will be compromised.

APPRENTICESHIPS AND TRAINEESHIPS

At this time Black Diamond will not seek to engage apprentices or trainees, apply for government funding or enter into government incentive schemes. The CEO may make the decision to change this policy in the future and will update this section accordingly.

DISCIPLINE

Black Diamond makes every effort to practice cooperation and mutual respect in all internal and external dealings to uphold high quality, professional training and assessment services. The same disciplined behaviour is expected of students as a contribution to a functional learning environment, and as a sign of respect to staff and fellow students.

Professional Behaviour

Black Diamond will encourage any trainer or staff member who is dissatisfied with the behaviour to:

- Warn the student that their behaviour is unsuitable (in the first instance), or
- Ask a student to leave the class, without refund or acceptance into another course, or
- Immediately cancel the class.

If a student wishes to object or lodge an appeal against the disciplinary action taken, they have the right and opportunity to follow our complaint procedure.

Our staff are expected to maintain a professional and ethical working relationship with all other staff members, management and students. Breaches of the disciplinary standards will result in discussion between the relevant trainer and the CEO, and appropriate action will be taken.

Plagiarism

Definition

Plagiarism is the "wrongful appropriation" and "purloining and publication" of another author's "language, thoughts, ideas or expressions," and the representation of them as one's own original work.

Policy

Plagiarism is considered academic dishonesty and a breach of journalistic ethics. It is subject to sanctions like expulsion. It is quite reasonable to research material in the course of undertaking assessment. All sources, however, must be clearly referenced. Black Diamond takes a very strict approach to plagiarism and proven incidents will not be tolerated.

COMPLAINTS & APPEALS POLICY AND PROCEDURE

The aim of Black Diamond's complaints and appeal policy is to manage and respond to:

- allegations involving the conduct of:
 - the RTO, its trainers, assessors or other staff
 - a third-party providing services on the RTO's behalf
 - a learner of the RTO.
- requests for a review of decisions including:
 - Assessment decisions made by the RTO, or
 - Assessment decisions made by a third-party

Black Diamond complaints and appeals policy is to ensure:

- the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process.
- That the policy is publicly available
- That the procedure for making a complaint or requesting an appeal is set out

- That complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable
- A review by an appropriate party independent of the RTO and the complainant or appellant be made available at the request of the individual making the complaint or appeal if the processes fail to resolve the complaint or appeal.
- That records of all complaints and appeals and their outcomes are securely maintained.
- That potential causes of complaints and appeals be identified and appropriate corrective action taken to eliminate or mitigate the likelihood of reoccurrence.

A defined process is in place to ensure complaints and appeals are addressed effectively and efficiently. The complaints and appeals process can also be used by trainer / assessors and other staff and corporate clients to address any grievances.

Black Diamond strives to ensure that each student is satisfied with their learning experience and outcome. In the unlikely event that this is not the case, all students have access to rigorous, fair and timely complaint and appeal processes which are outlined in this section of the policy and procedures document. Any complaints or appeals will be kept confidential and will be reviewed as part of the continuous improvement process and where corrective action has been highlighted, it will be implemented as a priority. The cause of any multiple complaints and appeals will be identified and appropriate corrective action will be taken early to eliminate or mitigate the likelihood of recurrence.

The procedure for complaints and appeals is as follows:

- If a client or participant does not agree with an assessment outcome they should appeal in the first instance to their trainer/assessor.
- If the person with any grievance is still unsatisfied then they must advise Black Diamond in writing giving grounds for the concern or complaint.
- If there is a complaint or grievance against the trainer/assessor, the appeal may be lodged in writing with the Company CEO.
- The CEO will speak with the complainant as soon as practicable and attempt to settle the matter. If agreement cannot be reached a report detailing the issue and substance of the discussion is produced.
- Every effort will be made to resolve the grievance within 21 days of lodgement. If the complainant is not satisfied with the result then the grievance can be taken to an agreed external arbiter.
- Where the RTO considers more than 60 days are required to process and finalise the complaint or appeal the RTO will inform the complainant or appellant in writing including reasons why more than 60 calendar days is required; and regularly update that person on the progress of the matter.
- If there is no agreement after a second attempt then an independent arbiter may be appointed. If there is still no agreement then legal advice should be sought and the matter dealt with by law.

It is the responsibility of Black Diamond management to ensure adherence to this procedure and that resolution is sought in all reasonable circumstances. This includes informing and assisting students with the complaint procedure and supply of complaint forms.

If the student is still not satisfied with the resolution of the complaint after following and exhausting the complaints procedure, the student may contact the National Training Complaints Hotline to register a complaint by:

- Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally.
- Email: skilling@education.gov.au

Or the student may register a complaint through the ASQA online complaint form at <https://www.asqa.gov.au/complaints>.

If you are unable to access the online form, please contact the ASQA Info line on 1300 701 801.

All appeals will be reviewed at the monthly management meeting and, if appropriate, result in a corrective action process.

Please complete, sign and date the below declaration upon receipt of this student handbook and return to Black Diamond

- Scanned into an email to jamie@blackdiamondtraining.com.au
- Via Post, addressed to Black Diamond, 64 Meads Avenue Tarrawanna NSW 2518.
- In person to your course trainer.

ACKNOWLEDGMENT DECLARATION

I acknowledge that I, _____, have received, read and fully understood the contents of this student handbook, which outlines my rights and responsibilities as a student of Black Diamond Training.

Signature

Date

Name of Witness

Signature of Witness

Date