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**Australian Maritime Safety Authority**

RTO 88033



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**Australian Maritime Safety Authority**

**RTO LEARNER HANDBOOK**

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# 1. Introduction

## AMSA's Registered Training Organisation (RTO)

The Australian Maritime Safety Authority (AMSA) is the national government regulatory agency responsible for maritime safety, protection of the marine environment, and maritime and aviation search and rescue. As part of our commitment to raising education and awareness of issues impacting the maritime industry, AMSA offers training and assessment services to clients through its RTO.

This RTO Learner Handbook is designed to provide you with information about the training and assessment services and learning experience you should expect to receive when you chose to enrol in courses provided by AMSA's RTO.

## Our Mission and Objectives

The AMSA RTO mission is to support our broader organisational vision of 'safe and clean seas, saving lives'. In supporting this vision, the AMSA RTO will aim to deliver high quality training and assessment that meets the needs of our learners and the maritime industry and complies with the legislative components of the VET Quality Framework. <https://www.asqa.gov.au/about-us/asqa-overview/key-legislation/vet-quality-framework>

## RTO Key Contacts and Information

The AMSA Registered Training Organisation (RTO) is managed and coordinated by the Response Division of AMSA.



<b>ABN:</b>	65 377 938 320
<b>RTO Code:</b>	88033
<b>Head Office:</b>	Australian Maritime Safety Authority 18 Marcus Clarke Street Canberra ACT 2601
<b>Phone:</b>	(02) 6279 5000
<b>Website:</b>	<a href="https://www.amsa.gov.au/qualifications-training/national-plan-training">https://www.amsa.gov.au/qualifications-training/national-plan-training</a>
<b>Email:</b>	<a href="mailto:nationalplantraining@amsa.gov.au">nationalplantraining@amsa.gov.au</a>
<b>RTO Chief Executive:</b>	Mark Morrow, Executive Director Response
<b>RTO Manager:</b>	Jamie Storrie, Manager, Response Planning
<b>Training contact:</b>	Elena Bristot, Senior Advisor Learning and Development

Document Name:	RTO Learner Handbook		Created Date:	Jan 2023	
Version No:	V6	Document Number:	RTO001	Last Modified Date:	June 2024

## Nationally Recognised Training

A nationally recognised qualification or accredited course is recognised and taught to the same standard all over Australia. All nationally recognised qualifications or courses have a code assigned to them. For example, a Certificate IV in Business is BSB40120, AMSA's AIIMS course is 22612VIC. When they're advertised by an RTO, like AMSA, this code appears in the course title or description. There may also be an upside-down triangle that appears in the marketing. This triangle is the Nationally Recognised Training (NRT) logo which is a distinguishable mark of quality for promoting and certifying national vocational education and training leading to Australian Qualifications Framework (AQF) qualifications or statements of attainment.



The ASMA RTO currently offers the following nationally recognised and accredited courses that are recognised under the AQF.

### **Australasian Inter-service Incident Management System (AIIMS)**

22612VIC Course in the Australasian Inter-service Incident Management System (AIIMS)

### **Marine Pollution Response Course**

PUAOIL404 Apply decision making strategies in an oil spill response

PUAOPE025 Manage planning for a complex incident

PUAOPE023 Manage operations for a Level 2 incident

PUAOPE022 Manage logistics for a complex incident

### **Advanced Equipment Operator Course**

PUAOIL304 Use advanced equipment operations for oil spill response

### **Incident Controller Course (Level 2)**

PUAOPE018 Control a Level 2 incident

### **Incident Controller Course (Level 3)**

PUAOPE019 Control a Level 3 incident

You can read more about our Nationally Recognised Training offerings on the [AMSA website](#).

## Non- Accredited Training

The AMSA RTO also delivers a range of National Plan training courses and workshops that are non-accredited training. Non-accredited training is training that does not lead to the attainment of a formal qualification or statement of attainment. For example, AMSA's Marine Pollution Response (MPR) Refresher course and AMSA's Advanced Equipment Operator (AEO) Refresher course.

## Our Trainers and Assessors

All training and assessment provided by the AMSA RTO is delivered by trainers and assessors who are committed to AMSA's Values. Our trainers are:

- Professional:** Act with integrity and are pragmatic in their approach.
- Collaborative:** Value and respect others and work together to achieve our objectives.
- Dedicated:** Are committed to AMSA's mission and responsive to the needs of our customers and stakeholders.
- Accountable:** Take responsibility for their decisions and actions.

AMSA's RTO trainers and assessors are resolute professionals who hold the relevant vocational qualifications, competencies, and industry experience across a range of industries, including extensive experience in the maritime industry.

## 2. Enrolment

### Your Rights and Responsibilities

AMSA prides itself on being an organisation that promotes ethical and professional conduct in its business and social dealings. It is expected that our employees will perform their duties diligently, impartially, conscientiously, in a respectful and courteous manner, and to the best of their ability.

As a learner of the AMSA RTO, it is expected that you will abide by the AMSA Code of Conduct to support a safe and productive training environment for all learners. It is expected that you will, during your training with AMSA:

- behave honestly and act with integrity, care, and diligence;
- treat everyone with respect and courtesy, and without harassment;
- comply with all applicable Australian laws;
- comply with any lawful and reasonable direction given by your trainer or someone in AMSA who has authority to give direction;
- maintain appropriate confidentiality;
- disclose, and take reasonable steps to avoid any conflict of interest (real or apparent) in connection with your training;
- use the RTO's resources in a proper manner;
- not provide false or misleading information in response to a request for information in connection with your training;
- not make improper use of inside information or seek to gain a benefit or advantage in relation to your training; and
- behave in a way that always upholds the integrity and good reputation of AMSA.

As a learner, you can expect to:

- be provided with accurate information and requirements of your course and enrolment process;
- learn in a supportive environment free of discrimination and/or harassment;
- be provided with the resources required to complete your training and assessment
- experience a safe learning environment where hazards are identified and controlled as reasonably practicable;
- be assessed fairly and judged on the criteria outlined in the course information;
- be informed of your progressive assessment outcomes in a timely manner;

- be treated with respect by RTO staff and other learners;
- have access to support services if needed;
- have a right to privacy of your personal information subject to statutory requirements;
- be informed of any changes that may directly impact your training and what the process is to continue your training, e.g. if the AMSA RTO ceases the delivery of nationally recognised training courses or AMSA's RTO closes;
- have your complaint or appeal considered promptly without fear of retaliation or victimisation
- have the right to access your learner records.

## RTO Responsibilities

Prior to enrolment or the commencement of training, whichever comes first, the AMSA RTO has a responsibility to inform all prospective learners of the following information:

- Advice about the training product/s appropriate to meet your needs, taking into consideration your existing skills and competencies;
- The code, title and currency (if applicable) of the unit of competency or qualification you will be enrolled in;
- The estimated duration and location of training;
- The mode of training e.g. face-to-face;
- The educational and support services that may be provided;
- Any work placement arrangements;
- What you will need to provide in order to undertake the training;
- If any third-party will be delivering the training on our behalf;
- Our complaints and appeals processes;
- Fee information;
- Our refund policy;
- Your rights as a consumer; and
- What happens if we fail to provide the agreed training.

## Fee Information and Protection

The AMSA RTO does not currently charge for services or accept payment of fees for nationally recognised training.

In the event of implementation of fee for service training, AMSA will notify you prior to enrolment of our policy in relation to payment of fees, refunds, consumer rights and fee protection.

Where there are any changes to agreed services, the RTO will advise you as soon as practicable, including in relation to any new third-party arrangements or a change in ownership.

## Unique Student Identifier (USI)

In accordance with the Student Identifiers Act, to undertake any nationally recognised training you are required to have a Unique Student Identifier (USI). A USI is free to create and is your individual education number for life, allowing you access to a single online record of your VET achievements from 1<sup>st</sup> January 2015. The following links will assist you in either creating a USI for the first time, checking if you already have a USI or updating the password.

- Create your USI at the following link: [USI Student Portal - Terms and Conditions](#)
- Not sure if you have a USI? [Find your USI | Unique Student Identifier](#)
- Forgotten passwords: [Forgotten password | Unique Student Identifier \(usi.gov.au\)](#)

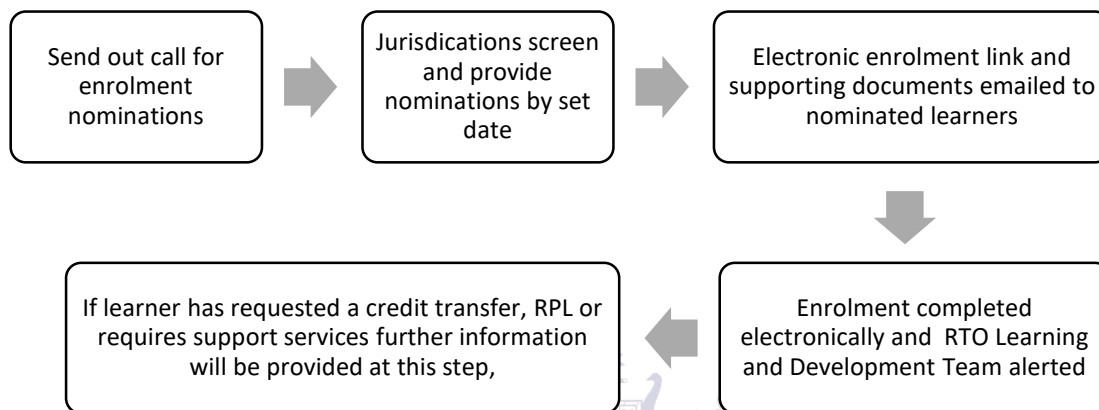
For general information and step by step guides on how to apply and use the USI registry please visit their website [Home page | Unique Student Identifier \(usi.gov.au\)](#). Alternatively, if you are having issues accessing or creating your account, please call the USI contact centre on 1300 857 536 between 8:30am- 6:30pm (AEDT) Monday- Friday.

Your USI will be verified at the time of enrolment and will be stored securely within our student management system. The AMSA RTO does not create USI's on behalf of students and will not be able to issue certification upon the successful completion of your course without a valid USI.

## Enrolment

All learners looking at undertaking nationally recognised training with the AMSA RTO will be required to complete an online enrolment and provide a valid unique student identifier (USI). Learners who have previously completed training with the AMSA RTO will still be required to complete an enrolment.

The AMSA RTO enrolment process:



You will also be required to read and agree to a declaration regarding the National VET Data Policy. A full copy of this policy can be found at Appendix B

## Complaints and Appeals

The AMSA RTO has a defined Complaints and Appeals Policy and will ensure all complaints and appeals are addressed fairly, effectively, and efficiently and in accordance with the policy and procedure. The RTO will address any issues relating to the RTO and training and assessment practices. All complaints and appeals will be reviewed as part of the continuous improvement processes.

The AMSA RTO strives to ensure that all learners are satisfied with their learning experience and the corresponding outcome. In the unlikely event that this is not the case, all learners have access to a rigorous fair and timely complaints and appeals process.

It is expected that prior to initiating a formal complaint and appeal process that you as the learner will attempt to resolve your concerns directly wherever possible with the other party involved.

Where the parties involved are unable to successfully resolve the concern directly with each other in the first instance, then a formal complaint or appeal may be lodged with the RTO.

Formal complaints or appeals are lodged with the RTO in writing using the RTO Complaints and Appeals Form. The AMSA RTO Complaints and Appeals Policy is available in this learner handbook at Appendix A and will be made publicly available on AMSA's website.

## Course Withdrawal

If you wish to withdraw from a course prior to its commencement, notice must be provided in writing. The RTO will accept email notification of your intent to withdraw. You must also alert your Jurisdictional Co-Ordinator so that waitlisted candidates can be contacted.

### 3. Support and Progression

The AMSA RTO aims to provide you with a positive and rewarding learning experience. We aim to provide you with access to educational and support services necessary for you to meet the requirements of your nationally recognised course.

#### Support for Learners

To assist us in determining your individual support needs you may self-disclose at the time of enrolment, or throughout your training, a requirement for additional support or reasonable adjustment due to:

- language, literacy, or numeracy (LLN) challenges,
- language barriers,
- Disability\* or medical condition.

The AMSA RTO will provide you with advice on:

- the suitability of the course
- reasonable adjustments that can be made
- support services available
- any special physical or cultural requirements for the course

In the first instance you should speak with your Jurisdictional Co-Ordinator.

The RTO may also determine during the enrolment process or training delivery that you may benefit from additional support. This will be discussed with you and a support plan will be put in place to ensure you gain the skills required to successfully complete your course. You are not required to disclose your disability to us unless you require adjustments or if your disability poses a risk to yourself or others. Types of support may include, but not limited to:

- LLN support
- additional tutorials
- extra time in completing assessments
- course materials in alternate formats
- ergonomic chair/desk
- accessible classrooms
- alternate assessment tasks

The AMSA RTO must comply with the requirements of the *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005*.

\*Under the Disability Discrimination Act (DDA) the definition of disability is intentionally broad, and many disabilities have several sub types.

#### Mental Health and Wellbeing

Looking after our mental health and wellbeing is just as important as maintaining our physical health.



A range of external support services are available including:

<b>Lifeline</b> 24/7 crisis support line	13 11 14 Lifeline.org.au
<b>Beyond Blue</b> 24/7 mental health advice, referral, and support	1300 224 636 Beyondblue.org.au
<b>Mensline Australia</b> 24/7 Telephone and online support for men	1300 789 978 Mensline.org.au
<b>13 Yarn</b> 24/7 Crisis support of Aboriginal and Torres Strait Islander People	13 92 76 13yarn.org.au
<b>QLife</b> Phone & online anonymous LGBTIQA+ peer support & referral 3pm- midnight	1800 184 527 Qlife.org.au
<b>Head to Health</b> A Federal Government platform that provides a directory of Australia's mental health organisations.	Headtohealth.gov.au
<b>1800 Respect</b> 24/7 domestic family or sexual violence support	1800 737 732 1800respect.org.au
<b>Emergency Support</b>	000

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## 4. Learning and Assessment

### Course Materials

All learners will be provided with or have access to the following materials on course:

- A physical or electronic copy of the learner manual
- A physical or electronic copy of handouts
- A physical or electronic copy of the Aide Memoir
- Printer/photocopier
- Butcher's paper
- Texta's

All learners will need to bring the following to their course:

- Laptop/Tablet (A device suitable to complete online assessment)
- Pens
- Notebook

### Dress Code and Fitness to Participate

You are required to arrive for training 'fit to participate' and ready to commence your training program.

This includes meeting the following requirements:

- Wearing clean and neat casual clothing (excluding singlets);
- Wearing workplace appropriate footwear at all times;
- Being adequately rested and alert; and
- Being free from the influence of any drugs and/or alcohol.

For specific requirements pertaining to the MPR and AEO Skills Workshops, you should refer to the Joining Instructions provided by either ORCA or OPEC.

## Training and Assessment

You are participating in a competency-based training program with AMSA. AMSA's training courses are designed to enable you to build on the required skills and knowledge to perform effectively in a real environment.

Your assessment and assessment requirements will be clearly explained to you at the commencement of your course. To be deemed as competent the assessor will not only assess you on your participation in the training course, but you will also be assessed on any physical items that you are required to submit as per your assessment requirements. Assessment can be undertaken in numerous ways including, but not limited to:

- Direct observation
- Questioning
- Project-based assessment
- Portfolio assessment
- Written assessment



Regardless of the assessment pathway or methods, all assessments have been designed, and will be assessed, in accordance with the principles of assessment and rules of evidence.

Assessment results are graded in the following ways:

- C = Competent
- NYC = Not Yet Competent
- RPL = Competency achieved via recognition of prior learning
- CT = Competency achieved through credit transfer

If you are deemed not yet competent, you will be offered another opportunity to be reassessed. If you are deemed not yet competent a second time you will be provided with further training and assistance and the opportunity to be reassessed once you have been deemed ready for reassessment. Assessments and results need to be fair, accurate and take learner circumstances into account.

If you don't agree with the decision of the assessor, you may lodge an appeal against:

- Assessment results
- How the assessment was carried out
- The results of a RPL application

For more information on the appeals process you can access AMSA's RTO Complaints and Appeals process at the end of this manual.

## Credit Transfer

Credit transfer is the process that provides a learner with credit for previous formal training that is equivalent to the course the learner is about to commence. Applications for Credit Transfer must be made utilising the RTO Credit Transfer form by emailing [NationalPlanTraining@amsa.gov.au](mailto:NationalPlanTraining@amsa.gov.au) for an application form before the start of the course. If the application is successful, your course duration may be reduced. For the RTO to provide you with a credit transfer you will be required to:

- Complete an enrolment form
- Complete a Credit Transfer Application form, and
- Provide a copy of your certificate and USI transcript
- Provide a copy of your resume if training is over five (5) years old to ensure currency in the area

## Recognition of Prior Learning

Recognition of prior learning (RPL) is a process that assesses the competency you have acquired through formal and informal learning to determine if you meet the requirements of the unit of competency or course you that are applying for.

All learners are eligible to apply for RPL and should indicate their decision to apply via their enrolment form or email as soon as possible. Upon notification, you will be provided with the RPL Application form and will need to identify what units of competency/full course you are applying for.

RPL applicants will be provided with an RPL Assessment Kit and will need to provide in sufficient detail a portfolio of evidence that will initially be assessed against the requirements of the unit of competency. When putting together your portfolio you will need to take into consideration whether your evidence is valid, sufficient, authentic, and current. You will be required to undertake an interview with the trainer and assessor, provide third party evidence, and depending on the outcome undertake additional gap training. RPL applicants will be notified of their result in line with the RTO's Policies and Procedures.

If you require assistance in completing your application or assessment kit, please contact AMSA's RTO.

## Changes to your Course or Training Package

To best meet the needs of our learners and industry, AMSA's RTO ensures that only currently endorsed training packages and accredited courses on the National Register are delivered. Independent organisations regularly review training packages to make sure courses stay up to date with industry standards. At times these reviews may require AMSA's RTO to make changes to a course or part of a course within set timeframes.

If this happens to your course:

- AMSA's RTO will contact you to discuss the changes and if required provide alternate study arrangements which may include:
  - Providing you with additional support to finish your training;
  - Transitioning you into the new course; or
  - Advising on any logistical changes
- New learners will not be enrolled into superseded training courses.

In some circumstances the new course will not be equivalent to the old course. In this situation, AMSA's RTO will support you to finish your current study or provide you with a plan on how we can use the old course as part of an RPL application with some additional GAP training to meet the needs of the new course.

## Plagiarism and Academic Misconduct

AMSA's RTO is committed to high standards of ethical behaviour and requires all learners to act honestly, ethically and with integrity. The RTO does not tolerate plagiarism or academic misconduct and it is the responsibility of all learners to ensure that you do not commit or collude with another person to commit plagiarism or academic misconduct.

What constitutes plagiarism and academic misconduct is non-exhaustive, however some examples include:

- the submission of another person's course work as your own;
- having in your possession examinations, assessments, or scenarios that have not been officially issued to you;
- having prior knowledge of the contents of examinations, assessments, or scenarios except as part of an official briefing; and/or
- the submission of work that has been previously submitted to the RTO or another academic institution.

When you submit assessment tasks that are designed to be completed individually, you agree that the assessment task:

- is entirely your own work;
- has not previously been submitted by you or anyone else to any academic institution, organisation, or person; and/or
- is not based upon anyone else's work unless cited in accordance with normal academic practice.

The RTO will treat all allegations and identified cases of plagiarism and academic misconduct seriously. Penalties can be severe and may result in the discontinuation of your training program.

## 5. Completion of Training

### Student Records and Records Management

AMSA's RTO is committed to honouring your privacy and will always comply with the Australian Privacy Principles in handling your personal information. As such, all learner records and documentation will be recorded, kept confidential and securely archived. Learners can gain access to their learner files by contacting the National Plan Training inbox via email at the [NationalPlanTraining@amsa.gov.au](mailto:NationalPlanTraining@amsa.gov.au)

AMSA's RTO will retain records of results for a period of thirty (30) years. All learners who hold a valid USI and whose results have been reported into the USI system will also be able to access their results through the USI system.

### Issuing Certificates and Statements of Attainment

In accordance with the *Standards for Registered Training Organisations 2015*, and AMSA's RTO Certificate Issuance Policy, you will be issued your certificate within thirty days of successful completion of your course. Learners who have not successfully completed their course will not receive a certificate.

### Learner feedback- Surveys

When you study with AMSA you can be confident that what you learn and how you learn measures up to rigorous national standards and meets legislative requirements. We have a strong commitment to continuous improvement of our training services and welcome your suggestions and feedback.

The feedback that AMSA receives from you is used to improve our policies and procedures, training and assessment services, and overall operations. Your feedback is also used to continuously improve our learning materials and monitor our trainer and assessor performance. You are encouraged to

provide feedback directly to the RTO via surveys or contacting the National Training Plan inbox at [NationalPlanTraining@amsa.gov.au](mailto:NationalPlanTraining@amsa.gov.au)

At the completion of your training program, you will be issued with a Learner Satisfaction Survey. This is a nationally consistent survey tool designed to collect feedback from learners about their experience in undertaking nationally recognised training. Your completion and return of this survey are important to AMSA for our ongoing improvement of services and to enable us to report this information to our registering authority. All responses provided by learners are kept confidential.

## What happens if AMSA's RTO ceases operations?

In the event that AMSA's RTO ceases operations as an RTO:

- learners and stakeholders will be notified;
- learners who are currently undertaking training will have their training completed or will be referred to another RTO offering the same qualifications (there may be a cost to learners associated with this); and
- learners who have completed their training, their AQF certification records will be provided to the regulator ASQA, and learners will need to contact them to gain records of their certification.

You can read more about more about how to access your records and obtain assistance from ASQA at <https://www.asqa.gov.au/resources/faqs/provider-closures-students>

## 6. Legislation and Regulatory Requirements

AMSA's RTO is regulated by the Australian Skills Quality Authority (ASQA). ASQA ensures RTOs are providing quality education and training to learners. AMSA's RTO complies with all relevant legislative and regulatory requirements including, but not limited to:

- National Vocational Education and Training Regulator Act 2011 (NVETR Act) and the legislative instruments it enables
- The VET Quality Framework
- Workplace health and safety legislation and regulations
- Anti-discrimination legislation and regulations
- Privacy legislation and regulations

AMSA's RTO will ensure learners and staff are informed of any changes to legislation or regulatory requirements that may affect the delivery of training and assessment.

### Privacy Protection

AMSA's RTO complies with the Privacy Act 1988 (Cth) and collects, manages, uses, discloses, protects, and disposes of your personal information in accordance with the Australian Privacy Principles.

We will only collect personal information that is directly related to your training. We will also collect and store information relating to satisfaction surveys and complaint handling, in accordance with the requirements for all RTOs.

In some cases, we are required by law to make your information available to government agencies such as the National Centre for Vocational Education and Research (NCVER) or ASQA.

We will not disclose your personal information for any other purpose without your express consent unless it is required by law.

You have the right to access the information that AMSA retains and that pertains to you.

## Work Health and Safety (WHS)

AMSA's RTO is committed to providing you with a safe learning environment which minimises your exposure to any risks associated with work health and safety. We have a planned and systematic approach to providing a safe and healthy workplace and comply with the provisions of *the Work Health and Safety Act 2011*.

Every employee, trainer and learner of the RTO has a responsibility to minimise risk and ensure work health and safety. The following guidelines are provided as a basis for safe practice in the learning environment. At a minimum you should:

- know and observe details of emergency response and evacuation plans;
- not undertake activities which may cause injury to self or others;
- abstain from smoking or consuming alcohol at the training facilities or location;
- report all potential hazards, accidents and near misses to your trainer or RTO staff;
- always keep training and assessment areas neat and tidy;
- observe basic hygiene standards particularly in food and amenities areas; and
- In the case of a future pandemic occurring, all learners are to check commonwealth and state health websites and follow all relevant directions from the nominated authorities. Training staff will oversee the compliance of the training venue.

In the event of an emergency, it is important that you follow all directions from staff or emergency service personnel. In the event of an incident requiring first aid, notify your trainer or nearest member of staff.

## Learner Equity

All AMSA employees and trainers (including contract trainers) are aware that discrimination and harassment will not be tolerated under any circumstances. Employees, trainers, and learners are to conduct themselves in a manner consistent with the AMSA Code of Conduct.

Learners who feel that they may have been subject to discrimination or harassment by another individual should discuss their concerns with their trainer directly in the first instance. Where this is not possible, the learner should discuss the matter with another RTO employee.

Disciplinary action will be taken against any RTO employee or learner if discrimination and harassment is found to have occurred. Suspected criminal behaviour will be reported to police authorities immediately.

## Appendix A – Complaints and Appeals Policy and Procedure



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# RTO COMPLAINTS AND APPEALS POLICY AND PROCEDURE

## 1. Purpose

The purpose of this procedure is to outline the steps for handling complaints and appeals received from learners, employees, third parties and stakeholders of the RTO.

## 2. Scope

This policy and procedure applies to all AMSA RTO staff, learners of AMSA RTO who have studied or completed their studies in the last six months and to learners who are seeking to undertake training with AMSA RTO.

## 3. Policy Statement

3.1 AMSA RTO manages complaints and appeals in a transparent manner which enables learners to be informed of, and to understand their rights and obligations and the RTO's responsibilities in relation to complaints and appeals under the *Standards for Registered Training Organisations (RTOs) 2015* (the Standards).

3.2 AMSA RTO manages and responds to complaints in relation to the quality of training and assessment; the quality of client service; and compliance with the VET Quality Framework, including allegations involving the conduct of:

- the RTO, its trainers, assessors, or other employees,
- a third-party providing services on the RTO's behalf, its trainers, assessors, or other employees; or
- a learner of the RTO.

## 4. Responsibilities

4.1 AMSA RTO staff, trainers and assessors are responsible for:

- conducting themselves in a manner consistent with the AMSA Code of Conduct to minimise the incidence of complaints and allegations,
- the accurate and timely documenting of complaints and appeals as outlined in this procedure,
- ensuring that learners are fully informed of the RTO's policy and procedures for handling complaints and appeals,
- assisting a complainant or appellant to resolve concerns directly and informally with parties involved in the first instance; and
- assisting a complainant or appellant to lodge a formal complaint or appeal using the RTO's Complaints and Appeals Form, where required.

4.2 The RTO Chief Executive Officer is responsible for:

- ensuring that complaints and appeals are managed in a transparent manner in accordance with the principles of natural justice and procedural fairness; and
- offering independent review of decisions, where required.

4.3 The RTO Manager, Response Planning and Senior Advisor Learning and Development is responsible for:

- ensuring that the complaints and appeals process operates in a transparent manner in accordance with the principles of natural justice and procedural fairness,
- considering independent review of decisions where required,
- determining independent internal or external third parties to review complaint and appeal processes; and
- ensuring that all complaints and appeals are addressed and actioned appropriately and within the timeframes set out in this policy.

4.4 The Senior Learning and Development officer is responsible for:

- maintaining the *RTO Complaints and Appeals Register*; and
- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies

## 5. Complaints and Appeal Procedure General Principles

5.1 Principles of natural justice and procedural fairness are followed at every stage of the complaint and appeal process by allowing anyone subject to a decision by the RTO, or anyone who has allegations made against them, to a right of reply before a decision is made.

5.2 The decision maker in the process is independent of the decision being reviewed.

5.3 Each complainant or party lodging a complaint or appeal may be accompanied and/or assisted by a support person throughout the process.

5.4 Complaints and appeals are handled in the strictest of confidence and records are secured in accordance with the AMSA Recordkeeping policy and Australian Privacy Principles in AMSA's electronic records management system.

5.5 All complaints, appeals and outcomes are documented in the *RTO Complaints and Appeals Register*. Outcomes of complaints and appeals processes are used to inform continuous improvement activities.

5.6 If a complainant raises a concern but is not willing to proceed with the complaint they are advised that because of the requirements of procedural fairness, in most circumstances no further action can be taken by the RTO.

5.7 Appeals of assessment outcomes are to be lodged within 28 days of when the assessment outcome is informed to the learner.

5.8 Investigations into plagiarism will be handled in accordance with the complaints and appeals procedure.

## 6. Informal Complaints and Appeals

6.1 In the first instance, learners are encouraged to raise their complaint directly wherever possible with the person/s involved.

6.2 It is expected that all parties will participate in good faith in resolving concerns so that AMSA RTO maintains a respectful learning environment.

6.3 Learners are encouraged to raise concerns directly with the trainer, particularly where the concerns are adversely affecting the learning environment.

## 7. Formal Complaints and Appeals Procedure

### Stage 1 – Lodging a Formal Complaint or Appeal



- 7.1 Where the parties involved are unable to successfully resolve the concern directly, then a formal complaint or appeal may be lodged with the RTO in writing or by emailing the completed form to [nationalplantraining@amsa.gov.au](mailto:nationalplantraining@amsa.gov.au) using the *RTO Complaints and Appeals Form*. A copy of the form is provided to the complainant, and it records the following information:
- complainant's full name, address, phone/email address,
  - details of the concern raised by the complainant,
  - the complainant's desired outcome,
  - reasons outlining the escalation to a formal process,
  - if the complaint relates to another party, that party's full name and position; and
  - the particulars of the decision or finding in dispute (for a review of decision).
- 7.2 AMSA RTO acknowledges receipt of all complaints and appeals in writing or electronically. The acknowledgement outlines the anticipated review period.
- 7.3 AMSA RTO notifies the Senior Advisor Learning and Development and the Manager Response Planning of the complaint or appeal and where it is located.
- 7.4 Where AMSA RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO informs the complainant or appellant, outlining reasons why more than 60 calendar days are required, and regularly updates the complainant or appellant on the progress of the matter.

### **Stage 2 - Determination of Outcome**

- 7.5 Where AMSA RTO determines that they have the decision-making capacity they make a determination and inform the complainant of the outcome in writing within 60 days. Decisions or outcomes of the complaint or appeals process that resolve the complaint or appeal and find in the favour of the party are implemented immediately.
- 7.6 AMSA RTO notifies the Senior Advisor and the Manager Response Planning of the outcome and action implemented. Documentation is securely filed, and the outcome and continuous improvement action is noted in the *RTO Complaints and Appeals Register*.
- 7.7 If a complaint cannot be investigated by the RTO (for whatever reason), then the Manager, Response Planning will inform the complainant at this point and refer them to the most appropriate body.

### **Stage 3 - Internal Review of Determination**

- 7.8 Where the RTO is unable to make a determination, or the complainant is dissatisfied with the outcome they can appeal and request a review of the decision from a third party. Appeals or requests for review of decisions are to be lodged within 28 days of the decision or outcome.
- 7.9 Requests for appeal or review of decisions are referred to the Manager, Human Resources, Corporate Services Division who will identify and assign an internal review officer within AMSA, but independent of AMSA RTO or decision.
- 7.10 AMSA RTO acknowledges receipt of the request for internal review in writing or electronically. The acknowledgement outlines the anticipated review period and the designated review officer. The review process and review officer are recorded in the *RTO Complaints and Appeals Register*.
- 7.11 The review officer makes a determination and advises the appellant of the decision or outcome. Decisions or outcomes of appeal or review process that find in the favour of the appellant are implemented immediately.

- 7.12 The Manager, Response Planning will notify the Senior Advisor Learning and Development of the outcome and action to be implemented. Documentation is securely filed, and the outcome and continuous improvement action is noted in the RTO Complaints and Appeals Register.

#### **Stage 4 – Independent Third-Party Review of Determination**

- 7.13 Where the appellant is dissatisfied with the outcome of the internal review they can appeal and request a review of the decision from an independent external third party. Appeals or requests for an independent third-party review of decisions are to be lodged within 28 days of the decision or outcome.
- 7.14 Requests for appeal or review of decisions are referred to an independent third party or external mediator, determined by the RTO Chief Executive Officer or Manager, Human Resources.
- 7.15 AMSA RTO acknowledges receipt of the request for independent third-party review in writing or electronically. The acknowledgement outlines the anticipated review period and the independent review officer. The review process and review officer are recorded in the RTO Complaints and Appeals Register.
- 7.16 AMSA RTO discloses any costs associated with a third-party review, so all parties are aware of any costs they may incur. ASQA is not able to act as the independent third party for reviewing complaints.
- 7.17 The independent review officer makes a determination to AMSA. AMSA RTO advises the appellant of the decision or outcome in writing. Decisions or outcomes of the appeal or review process that find in the favour of the appellant are implemented immediately.
- 7.18 The Manager, Human Resources will notify AMSA RTO of the outcome and action to be implemented. Documentation is securely filed, and the outcome and continuous improvement action is noted in the RTO Complaints and Appeals Register.
- 7.19 If the appellant is still dissatisfied with the result of their complaint or appeal they can contact the National Training and Complaints Hotline on 13 38 73 or by completing a online complaints form at <https://www.dewr.gov.au/national-training-complaints-hotline>. The hotline will be able to refer the appellant to the most appropriate authority to have their complaint considered. Alternatively, the appellant can contact ASQA on 1300 701 801 or lodge a complaint directly by creating an account via ASQAconnect <https://asqaconnect.asqa.gov.au/>.

## **Appendix B – VET Data Use Statement**

Under the *National Vocational Education and Training Regulator (Data Provisions Requirements) Instrument 2020* and National VET Data Policy (which includes the National VET Provider Collection Data Requirements Policy at Part B), Registered Training Organisations are required to collect and submit data compliant with AVETMISS for the National VET Provider Collection for all Nationally Recognised Training. This data is held by the National Centre for Vocational Education Research Ltd (NCVER), and may be used and disclosed for purposes that include:

- populating authenticated VET transcripts
- administering VET, including program administration, regulation, monitoring and evaluation
- facilitating statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information

NCVER is authorised by the *National Vocational Education and Training Regulator Act 2011* (NVETR Act) to disclose to the following bodies, personal information collected in accordance with the Data Provision Requirements or any equivalent requirements in a non-referring State (Victoria or Western Australia), for the purposes of that body:

- a VET regulator (the Australian Skills, Quality Authority, the Victorian Registration and Qualifications Authority or the Training Accreditation Council Western Australia)
- the Australian Government Department of Employment and Workplace Relations
- another Commonwealth authority
- a state or territory authority (other than a registered training organisation) that deals with or has responsibility for matters relating to VET.

NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf.



**Australian Government**

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**Australian Maritime Safety Authority**

## **Appendix C – Privacy Notice**

### **Why we collect your personal information**

As a registered training organisation (RTO), we collect your personal information so we can process and manage your enrolment in a vocational education and training (VET) course with us.

## How we use your personal information

We use your personal information to enable us to deliver VET course to you, and otherwise, as needed, to comply with our obligations as an RTO.

## How we disclose your personal information

We are required by law (under the *National Vocational Education and Training Regulator Act 2011* (Cth) (NVETR Act)) to disclose the personal information we collect about you to the National VET Data Collection kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for collecting, managing, analysing and communicating research and statistics about the Australia VET sector.

We are also authorised by law (under the NVETR Act) to disclose your personal information to the relevant state or territory training authority.

## How the NCVER and other bodies handle your personal information

The NCVER will collect, hold, use and disclose your personal information in accordance with the law, including the *Privacy Act 1988* (Cth) (Privacy Act) and the NVETR Act. Your personal information may be used and disclosed by NCVER for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

The NCVER is authorised to disclose information to the Australian Government Department of Employment and Workplace Relations (DEWR), Commonwealth authorities, State and Territory authorities (other than registered training organisations) that deal with matters relating to VET and VET regulators for the purposes of those bodies, including to enable:

- administration of VET, including program administration, regulation, monitoring and evaluation
- facilitation of statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf.

The NCVER does not intend to disclose your personal information to any overseas recipients.

For more information about how the NCVER will handle your personal information please refer to the NCVER's Privacy Policy at [www.ncver.edu.au/privacy](http://www.ncver.edu.au/privacy)

If you would like seek access to or correct your information, in the first instance, please contact your RTO using the contact details listed below.

DEWR is authorised by law, including the Privacy Act and the NVETR Act, to collect, use and disclose your personal information to fulfil specified functions and activities. For more information about how DEWR will handle your personal information, please refer to the DEWR VET Privacy Notice at <https://www.dewr.gov.au/national-vet-data/vet-privacy-notice>

## Surveys

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

## Contact information

At any time, you may contact the Australian Maritime Safety Authority to:

- request access to your personal information
- correct your personal information
- make a complaint about how your personal information has been handled
- ask a question about this Privacy Notice

In addition, you can find the Australian Maritime Safety Authority's Privacy Policy at <https://www.amsa.gov.au/about/who-we-are/privacy>

National Plan Training – [nationalplantraining@amsa.gov.au](mailto:nationalplantraining@amsa.gov.au)



**Australian Government**

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**Australian Maritime Safety Authority**

## **Learner Handbook Declaration**

As the Learner, you agreed to the elements below:

- I have received, read, and fully understand the contents of the RTO Learner Handbook

- I understand that there is no fee associated with the training and assessment component of my course, and understand that the AMSA RTO does not cover flights and travel for courses
  - *The AMSA RTO does cover transfers from training location airport to venue, accommodation, and meals for residential courses (MPR, ICL 2 & 3 ONLY)*
- I understand that I must obtain a Unique Student Identifier (USI) to enrol in any nationally recognised training with AMSA and will not receive a certificate without one
- I can confirm that as part of the enrolment process paperwork there is an option to request support services if required. I understand I may be asked to complete additional paperwork to determine what support services can be put in place to better assist me.
- I can confirm that I have been provided with a copy of the Complaints and Appeals Policy and Procedure in this handbook
- I agree to comply with the AMSA Code of Conduct and understand my rights and obligations in relation to the learning I undertake with the AMSA RTO
- I agree to be responsible for my own and others work health and safety during my learning with the AMSA RTO
- I agree that work submitted will be my own and I will not collude with another person to commit plagiarism or copy materials from other people
- I give consent for the use of my image or work in relation to public relations, promotion, advertising, media activities or any other activities during the provision of training (including assessment) with the AMSA RTO
- I acknowledge that the AMSA RTO cannot provide copies of my Statements of Attainment to third parties without my express written consent.