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## ESPERANCE TRAINING ASSESSING

### ETA'S POLICIES

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## ALCOHOL AND OTHER DRUGS POLICY

### 0.00% = ZERO TOLERANCE

Esperance Training & Assessing is absolutely committed to a safe and healthy working environment for all employees, trainees, contractors, visitors and the wider community. For this reason and because we are a training company utilising large plant in all our courses; alcohol and drugs can play no part in our company.

The repercussions of not adhering to a drug and alcohol policy are far-reaching with possible immeasurable damage. Court action, loss of RTO, damaging “word of mouth” reputation, unacceptable behaviour in public, putting trainee, employees and the public at risk, damage to plant and equipment, wasting student’s time and money, not being a professional or serious company- these are just a few of the many bad outcomes that could arise.

Esperance Trainers and Assessing has implemented this Alcohol and Other Drugs Policy to ensure that the workplace is free of the effects of alcohol and all other performance affecting drugs. This policy applies to **ALL** personnel. All personnel include management, employees, trainees, visitors and contractors. To facilitate this, all Esperance Training & Assessing personnel shall be made aware of their “duty of care” responsibilities under Sections 19 and 20 of the OS&H Act to comply with the following:

- All personnel must present themselves “fit for work” with their performance **NOT** impaired
- All personnel working on or visiting ETA Training premises or alternative place of work shall have a blood alcohol and drug level of 0.00% and not possess or use any illegal drug, controlled substance or mood or mind altering substance
- Individuals shall ensure that any prescription or non-prescription medication is taken safely without risk of impairment. **Furthermore, it is the responsibility of that person to notify their supervisor of prescribed drug taking in case it may impair their performance at work**
- All personnel (including contractors, consultants, suppliers, visitors etc) on ETA Training sites or driving/operating company vehicles and plant including rentals must submit to ETA Trainers initiated requests for non-invasive alcohol and drug tests. Failure to comply will be considered a positive result. Disciplinary action will result (*refer Disciplinary Policy*)
- In addition to our company rulings. When working onsite for ETA all of that company policies/procedures regarding Alcohol/Drug must be adhered to including any random testing
- Under section 20 of the OH&S Act 1984, any ETA personnel who suspects that any trainee, employee, manager, visitor or contractor is working whilst under the influence of any substance, must act. In the first instance, advising an appropriate staff member must be made. (*refer to Duty of Care Reporting Procedure*). Drug and Alcohol random testing will follow this identification and a discussion as deemed necessary by the OS&H Officer and Management.
- Alcohol **MUST NOT** be consumed on ETA training offices/workshops/training areas during work hours
- **AT NO TIME** will illegal drugs be tolerated on ETA Training premises or other work sites, during the course, training, breaks or within working hours.

## COMPLAINTS AND APPEALS POLICY AND PROCEDURE

Esperance Training and Assessing is committed to providing a fair, safe and productive work environment where grievances are dealt with sensitively and expeditiously for both staff and students. An essential part of developing that environment is ensuring that staff and students are encouraged to come forward with their grievances in the knowledge that the responsible supervisors will take appropriate action to address those grievances. Grievances and complaints that are not addressed have the potential to grow into major problems that can cause tension, lower morale and reduce performance and productivity.

### PROCEDURE

Before initiating the complaints procedure, complainants are encouraged to try to resolve any grievance directly with the person(s) concerned. If this is not possible or appropriate, the complainant should proceed to Step 1 of the grievance procedures.

The complainant should raise their grievance with the person(s) concerned as early as possible.

#### **Step 1**

Where the complainant has been unable to resolve the grievance themselves, they should take the matter up with the chief Executive Officer in the case of a staff member, or the trainer if a student has an unresolved complaint.

The chief executive Officer will address the grievance with a view to resolving it expeditiously, normally within two weeks of receiving the complaint.

Following resolution of the grievance, the Chief Executive Officer will monitor the situation for an appropriate period of time .

In any action taken, the Chief Executive Officer will ensure procedure is followed at all times, informing any staff members of allegations against them and providing them with an opportunity to respond.

#### **Step 2**

If the complainant believes the grievance has not been resolved to their satisfaction during Step 1, they should complete a complaints and Appeals Form (CAF v1). The concern will then be re-assessed by the Chief Executive Officer will endeavour to resolve the concern. The Chief Executive Officer will attempt to resolve the matter within two weeks of receiving the complaint and a response will be provided to the client in writing.

At this stage, the complainant can request that an independent person or panel be nominated to deal with the concern. The complainant will be able to formally present his/her case if they choose to do so and will be able to nominate another person of their choosing to attend. A written statement of the outcome will be provided to the client within five working days which will include the reasons for the decision.

If the complainant is still unhappy with the outcome, the concern can be referred to an independent person acceptable to both parties.

#### Outcomes could include:

- The complainant gaining a better understanding of the situation and no longer aggrieved
- The complainant receiving a verbal or written apology
- The respondent receiving a verbal or written reprimand

- One or both parties agreeing to participate in some form of counselling

## **ENVIRONMENTAL Policy**

Esperance Training & Assessing is committed to pursuing industry specific best practice in environmental consideration and performance. We acknowledge that our employees and the community at large expect responsible environmental practice from Esperance Training & Assessing. Esperance Training & Assessing embraces the principle of sustainable development ie development which meets the needs of the present without compromising the ability of future generations to meet their own needs. We believe this principle is fundamental to the continued success and growth of our company.

Specifically, Esperance Training & Assessing is committed to the following objectives:

- Complying with environmental legislation, regulations, standards and codes of practice relevant to the business as the absolute minimum requirement in each of the communities in which we operate.
- Conducting our operations to minimise and where practicable, eliminate adverse environmental impacts during training/assessment and maintenance tasks.
- Continual improvements of our environmental performance including regular review and setting of environmental objectives and targets.
- Conducting business with suppliers and contractors who have a commitment to a responsible environmental policy.
- All units of competency to encompass and promote adherence of environmental aspects listed in unit requirements.

Through communication and training, all employee and contractors will be encouraged and assisted to enhance Esperance Training & Assessing awareness and performance.

## **EQUAL OPPORTUNITY POLICY**

Esperance Training & Assessing Trainers will manage its workplace and provide its services in ways to eliminate, so far as is possible:

- Discrimination against persons on the grounds of sex, marital status, pregnancy or potential pregnancy in the areas of work, education, the provision of goods, facilities and services and the administration of Commonwealth laws and programs
- Discrimination involving dismissal of employees on the ground of family responsibilities
- Discrimination involving sexual harassment in the workplace, in educational institutions and in other areas of public activity

Esperance Training and Assessing will promote recognition and acceptance within the community of the principle of the equality of men and women.

Esperance Training and Assessing acknowledges the following human rights:

- Political rights, such as rights to life, liberty, free speech, movement, political thought and religious practice, a fair trial, privacy, to found a family and to vote
- Economic, social and cultural rights, such as rights to adequate food and water, health care, education, a clean environment, welfare assistance and respect for cultural practices

- Humanitarian rights – that is, the rights of those who are involved in, or affected by, armed conflict, such as civilians, prisoners of war, the wounded or sick or shipwrecked, and in particular the treatment of women and children
- Various categories of rights as defined by the nature of the holders – such as the rights of workers, women, children, minority groups, refugees, indigenous peoples, and people with a disability etc.

## FATIGUE POLICY

Esperance Training and Assessing is committed to ensuring a safe and healthy work environment. We believe that all work-related injuries and property losses are preventable, and that safety and the prevention of injury or ill health is socially responsible and good business.

Esperance Training and Assessing employees are encouraged to risk manage their driving commitments, as it is possible that long distance driving will be required to access clients.

Staff are advised and educated on taking regular breaks while driving, to keep within speed limits and drive in a safe manner.

Fatigue sheets “Daily Report of Operations” are filled out every time a driver is in the vehicle (*MC applicants only*). These are stored in the office and are accessible at any time.

If necessary, staff will be accommodated near the training site to avoid excessively long days and to discourage driving whilst tired.

Staff should avoid driving to and from Perth on the same day when travelling by air and should arrange overnight accommodation as deemed necessary.

Staff must complete a pre-start check on their vehicles before using a vehicle and ensure that the vehicle they are using has been serviced regularly. Furthermore, any faults found must be rectified or reported to a competent person and logged in the log book.

The Training Coordinator at Esperance Training and Assessing will check the currency of the Fatigue Management Code of Practice regularly.

## HARASSMENT POLICY

Esperance Training & Assessing is committed to providing all employees, clients and visitors with a healthy and safe environment that is free from harassment, discrimination and bullying.

### **RESPONSIBILITIES**

We all have responsibilities to treat each other with dignity and respect, even in circumstances where we may disagree with others about certain workplace issues.

### **WORKPLACE HARASSMENT**

Esperance Training and Assessment wants to ensure that our workplace is free from harassment. Both Esperance Training & Assessment, management and employees have a legal responsibility under the Occupational Safety and Health Act 1984 to ensure the workplace is a safe environment.

### **WHAT IS MEANT BY HARASSMENT?**

It is the repeated, less favourable treatment by a person toward another or others in the workplace. All complaints will be investigated in a fair, timely and confidential manner. All parties to the complaint



have a right to have their side heard and therefore anyone accused of harassment will be told what the allegations are.

Disciplinary action, including possible termination of employment, will be taken against an employee where the allegations are substantiated. Anyone making false or vexatious complaints will also be disciplined.

All personnel are made aware of this policy and copies are also available upon request.

## MUTUAL RECOGNITION POLICY

Mutual Recognition is the process whereby a registered training organisation agrees to recognise the AQTF qualifications and Statements of Attainment issued by any other Registered Training Organisation.

Esperance Training and Assessing recognises any qualification or certification issued by registered training organisations, including Statements of Attainment, and any accredited courses that are nationally recognised and listed on the National Training Information Service.

Any discrepancy detected will need to be clarified in the first instance by WorkSafe WA with regard to High Risk Work Licences.

Students seeking mutual recognition must submit a copy of their qualification or Statement of Attainment. If the appropriate logos are missing from the documentation or if there is any other inconsistency, staff will contact the issuing Registered Training Organisation to verify the validity of the qualification.

The staff member initiating the enquiry must initial and date the document stating that this has been verified.

## PRIVACY POLICY

Esperance Training and Assessing recognises the importance of your privacy and understands your concerns about the security of your personal information.

### THE NATIONAL PRIVACY PRINCIPLES

Esperance Training and Assessing is bound by the National Privacy Principles (NPPs) contained in the Privacy Act 1988 (Cth) (Privacy Act). The NPPs establish minimum standards for the private sector in relation to the collection, handling, use, disclosure, management, access, correction and disposal of 'personal information' about natural persons. In summary, 'personal information' is information or an opinion relating to an individual, which can be used to identify that individual.

### COLLECTION OF PERSONAL INFORMATION

The types of personal information we may collect and hold includes (but is not limited to):

- information you give us when you instruct us to act for you including your name, address, occupation and contact details;
- information about other individuals we collect in the course of acting for clients; and
- information about other people who come into contact with a member of the ETA team.

We will generally collect personal information by way of forms filled out by people, face-to-face meetings, interviews, business cards, telephone conversations and from third parties. We may also



collect personal information from the use of our website. The only information we collect about you when you use our website is what you tell us about yourself, for example, information you provide to us when you send us an email. However, please note that some of this information will not be personal information because it will not reveal your identity.

## **USE AND DISCLOSURE OF PERSONAL INFORMATION**

Esperance Training and Assessing may use and disclose your personal information for the primary purpose for which it was collected, for reasonably expected secondary purposes, and in other circumstances authorised by the Privacy Act.

In general, we use and disclose your personal information for the following purposes only:

- to conduct our business;
- to provide and market our services;
- to communicate with you; and
- to comply with our legal obligations.

We may disclose your personal information to other members of the Esperance Training and Assessing team, other companies or individuals who assist us in providing services or who perform functions on our behalf (such as mailing houses and specialist consultants), courts, tribunals and regulatory authorities, and anyone else to whom you authorise us to disclose it. We will take reasonable steps to ensure that anyone to whom we disclose your personal information respects the confidentiality of the information and abides by the NPPs or equivalent privacy laws.

## **ACCESS TO PERSONAL INFORMATION**

Subject to the exceptions set out in the Privacy Act, you can gain access to personal information that we hold about you by emailing us. We will handle all requests for access to personal information in accordance with the NPPs. If we refuse to give you access to your personal information we will provide you with reasons for our refusal in accordance with the Privacy Act.

## **MANAGEMENT OF PERSONAL INFORMATION**

In accordance with the Privacy Act, we take reasonable steps to protect the security of your personal information. This includes protecting the information from misuse or loss and from unauthorised access, modification or disclosure, for example, by the use of physical security and restricted access to electronic records. Where we no longer require your personal information for a permitted purpose under the NPPs, we will take reasonable steps to destroy that information.

ETA endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. Generally, we will amend any information about you held by us which is inaccurate, incomplete or out-of-date if you request us to do so. If we disagree with your view about the accuracy, completeness or currency of a record of your personal information held by us, and you ask us to associate with that record a statement that you have a contrary view, we will take reasonable steps to do so.

## **SENSITIVE INFORMATION**

Some personal information we collect is 'sensitive information', which includes personal information relating to a person's health, racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences, or criminal record.

Sensitive information will be used or disclosed only for the primary purpose for which it was collected or a directly related secondary purpose, unless you agree otherwise, or where certain other limited

circumstances apply (for example, where required by law).

## **UPDATES TO POLICY**

We will review our privacy policy from time to time to take account of new laws and technology, changes to our operations and practices, and the changing business environment. We will notify you about changes to our privacy policy by posting an updated version on our website.

## **QUALITY TRAINING AND ASSESSMENT POLICY**

Esperance Training and Assessing is committed to the use of a quality training system based on the Australian Quality Training Framework.

To ensure a quality philosophy in training, assessment and development Esperance Training and Assessing will strive to:

- Remain compliant with the AQTF within its registered scope and profile
- Focus on the strategies, targets and principals of the company
- Meet the assessed needs and respond to the requirements of industry needs
- Support professional development of all staff in line with their roles and responsibilities and to provide staff equal opportunity for training and development
- Instil a continuous learning and improvement philosophy within the organisation
- Regularly review and evaluate at all levels to assess relevance, achievement and to improve future effectiveness

## **AQTF COMPLIANCE**

Esperance Training and Assessing will initiate internal audits against the AQTF standards in all its operations annually. The Chief Executive Officer and Quality Assurance Coordinator will review these audits annually and implement improvements as identified in a timely manner.

## **PROFESSIONAL DEVELOPMENT**

All Trainers will hold a Statement IV in Training and Assessment (TAE 40110) or the equivalent.

All Assessors will hold:

- TAEASS401B Plan assessment activities and processes
- TAEASS402B Assess competence
- TAEASS403B Participate in Assessment validation or equivalent

All Trainers and Assessors will be encouraged to attend professional development relevant to training delivery and assessment as required and when available.

Esperance Training and Assessing will circulate information on professional development opportunities via e-mail or surface mail and will pay expenses to attend professional development, including travel, accommodation and food, as well as attendance fees.

All Trainers and Assessors will attend moderation of assessment workshops as often as possible, quarterly being the minimum.

All professional development opportunities will be documented and recorded in the professional development registers and copies maintained in personal files.

## **ASSESSMENT**

Assessment materials used must comply with the Training Package Assessment Guidelines, provide for holistic assessment (*i.e. use a process which integrates knowledge and skills in the workplace*), cover all four dimensions of competency, target the appropriate qualification level, meet the requirements of the key competencies, and be able to be customised to suit individual industry needs.

Assessments must be valid, reliable, flexible and fair. Assessors must ensure the assessment decisions involve the evaluation of sufficient evidence to enable a judgement to be made on the competence of the candidate. Assessors must be familiar with the rules of evidence (that is, evidence must be authentic, current, valid, reliable and sufficient).

When planning an assessment, the assessor must ensure that:

- The candidate is ready for assessment
- Assessment procedures have been ratified with the appropriate personnel in the industry/workplace or training organisation where appropriate.
- The needs of the candidate have been determined and any reasonable or allowable adjustments have been made to the assessment
- All appropriate personnel are advised of the assessment.

Refer to the Trainee Assessment Determination Procedure if there are any issues at all with progressing to Assessment.

Learners must be provided with an assessment plan that details the following:

- How and what unit will be assessed
- The timing of the assessment
- Where the assessment will occur
- What Resources that will be required
- What is the process for re – assessment on appeal

## **STAFF DISCIPLINARY POLICY**

### **WARNINGS SYSTEM & SUMMARY OR INSTANT DISMISSAL**

#### **Responsibilities**

We ALL have a responsibility and a Duty Of Care to treat ETA's clients and property in a safe and careful manner and to deal with fellow employees, clients and the general public respectfully.

#### **What defines a warning?**

Any breach of ETA's policies and procedures will result in the transgressor being issued a swift written warning. All warnings will remain on personnel files for a period of two years. Breaches of a more serious nature could result in a summary or instant dismissal.

#### **What situations would result in a written warning?**

Examples of, but not limited to:

- A breach of confidentiality against the company/client
- Bad appearance
- Bad attitude towards staff/clients/work



- A breach of company policy/procedure
- Harassment of other staff/clients-ie sexual, violence etc
- Refusing to take an alcohol/drug test

**What defines summary or instant dismissal?**

Summary or instant dismissal is dismissal **without** notice.

Employers can terminate the employment of employees without notice only if the employee is guilty of serious misconduct which is of such a nature that it would be unreasonable to require an employer to continue employment of that employee for any notice period.

The employee’s conduct must have been such that it breached the fundamental terms of the company policies and procedures or those of the employment contract.

**What situations would result in a summary or instant dismissal?**

Examples of but not limited to:

- Three (3) written warnings
- Behaviour which poses a serious risk to the health and safety of a person
- Behaviour which poses a serious risk to the reputation, viability or profitability of the employer’s business
- Theft
- Violence
- Fraud
- Gross confidentiality breach
- Operating or training under the influence of Alcohol/Drugs

**What is the procedure?**

Depending on the severity of the incident, resultant in a warning, it is Esperance Training & Assessing policy that all employees will receive, after careful investigation, the following:

<b>FIRST INCIDENT</b>	Written warning documented on personnel file and follow up
<b>SECOND INCIDENT</b>	Second written warning documented on file. Counselling may be offered where necessary.
<b>THIRD INCIDENT</b>	Dismissal of employee from employment at Esperance Training and Assessing after receiving this third written warning

Summary or instant dismissal may apply in severe cases; including theft/fraud, violence, sexual harassment, bullying, wilful disobedience. These cases will be investigated in a fair, timely and confidential manner.