



Client

moxi

SKILL + LEARNING

Handbook 2023

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MOXI Pty Ltd  
PO Box 696, BELMONT WA 6984  
Australia

***The purpose of the Client Handbook is to provide to every potential client all subsidiary information relevant to the training products we offer, in order to make an informed decision on whether to enrol with us.***

It contains details and guidance about what you should consider when selecting a training option, ways that you can enrol, how to prepare for your course and what to expect during the training. It directs a person how to get a refund, provide feedback, complain or appeal. It suggests various training pathways, highlights our unique competency assessment and reassessment process, the ways we can recognize credits, available client support services, how to access your own records, the rules of conduct that must be abided by, the legislation that guides our processes and the credentials we are able to issue as an outcome of the training and assessment.

Please visit our [website](#) to view the range of courses we offer and the selection requirements of each. Here you will find details on cost, date, time and location of the training. You can also use our website to [enrol online](#) or [log in](#) to our E Learning portal.

***The information provided in this handbook is in direct accordance with the Standards for Registered Training Organisations 2015 and MOXI's commitment to best practice in the EEHA industry.***

<b>CONTACT INFORMATION FOR MOXI HQ.....</b>	<b>5</b>
<b>ABOUT MOXI.....</b>	<b>6</b>
Our mission.....	6
MOXI EEHA Training Services .....	6
<b>HOW TO ENROL INTO A MOXI COURSE .....</b>	<b>7</b>
Enrolment confirmation .....	7
Catering.....	7
<b>EXPECTATION OF ALL CLIENTS ATTENDING MOXI COURSES.....</b>	<b>8</b>
Punctuality .....	8
Accommodation and traffic.....	8
Pre-course work.....	8
Call outs and appointments.....	8
Unique client identifier (USI) .....	8
Mobile phones.....	8
Language, literacy and numeracy.....	9
Your own work.....	9
<b>WHAT WILL I LEARN ON THE COURSE &amp; WILL IT BENEFIT MY WORK .....</b>	<b>10</b>
Workload .....	10
Role of trainer assessor .....	10
Assessments.....	10
When the gap is too large to achieve competency? .....	10
Re-assessment .....	11
Issuing of qualification/ statement of attainment .....	11
<b>FEES, CHARGES AND CANCELLATIONS .....</b>	<b>12</b>
Fees .....	12
Refunds.....	12
Cancellation notice .....	12
<b>COMPLAINTS, GRIEVANCES AND APPEALS .....</b>	<b>13</b>
Complaints.....	13
Appeal against assessment.....	13
<b>RECOGNITION OF CREDIT .....</b>	<b>14</b>

Credit transfer .....	14
Articulation.....	14
Recognition of prior learning (RPL) .....	14
Recognition of current competency .....	14
Application process and fees - recognition of credit .....	15
Fees.....	15
NOTE.....	15
<b>REPLACEMENT CREDENTIALS .....</b>	<b>15</b>
<b>ACCESS AND EQUITY .....</b>	<b>16</b>
Support, welfare and guidance services .....	16
<b>TRAINER ASSESSOR DISCIPLINARY RIGHTS.....</b>	<b>17</b>
<b>PRIVACY STATEMENT.....</b>	<b>18</b>
Access to your own training and assessment outcomes .....	19
<b>FEEDBACK.....</b>	<b>19</b>
<b>DISABILITY SUPPLEMENT .....</b>	<b>19</b>
<b>LEGISLATION.....</b>	<b>21</b>
<b>GLOSSARY OF TERMS.....</b>	<b>25</b>

## CONTACT INFORMATION FOR MOXI HQ

<i>Website</i>	<a href="http://www.moxi.com.au">www.moxi.com.au</a>
<i>Postal Address</i>	PO Box 696, Belmont WA 6984
<i>Phone</i>	08 9479 3841
<i>Email</i>	<a href="mailto:enquiry@moxi.com.au">enquiry@moxi.com.au</a>
<i>RTO Provider Code</i>	51160
<i>ABN</i>	42 109 534 698

If you would like to connect with a member of the MOXI team to further assist you to identify your training needs, please do not hesitate to make contact using the alternatives listed above. We are happy to advise and direct you further should you require this.

## ABOUT MOXI

MOXI has been providing world class, competency-based Electrical Equipment in Hazardous Areas (EEHA) training since its inception in 2004 and continues to be the Asia-Pacific leader in EEHA training.

Competency is the measurement of applied knowledge via practical evidence as demonstrated by the individual to agreed industry criteria. Competency measurement requires that a competency assurance model should be employed within the respective organisation.

### Our mission

To provide progressive quality training and assessment services for the EEHA industry driven by strong industry interaction and evaluation of each client's needs. We actively live our mission through applying rigorous best practice principles in all aspects of our operation.

### MOXI EEHA training services

MOXI is a Registered Training Organisation (Provider No 51160) with the Australian Quality Skills Authority (ASQA). Details regarding our scope of registration can be found at [www.training.gov.au](http://www.training.gov.au)

MOXI's professional trainer assessors are highly skilled, qualified and experienced in industry. We deliver current industry relevant skills and knowledge in our well-researched and structured courses. MOXI provides effective quality EEHA training in Australia and the ASIA Pacific region.

We deliver training and assessment options by scheduling a large number of publicly available courses throughout the year and also by customising training outcomes to suit the needs and timeline of the client.

For more information regarding the current training products and services we offer, check out our website [www.moxi.com.au](http://www.moxi.com.au) or request a copy of the latest MOXI course directory.

## HOW TO ENROL INTO A MOXI COURSE

The best place to view the range of courses we offer and the selection requirement of each is on our website. There you will find details on cost, date, time and location of the training. If you are unsure what training you require or you would like information about upskilling to compliment recognised competencies that you have completed previously, contact the MOXI office on (08) 9479 3841. A hard copy of our course directory can also be provided to you.

If you have selected a course to enrol in and you haven't made contact with our staff, you must check the following:

- that the training includes the correct competency units to suit your needs
- that all selection requirements are met e.g. electrical licence
- that you are able to commit yourself to attend for the full duration of the training

If you require certain competency outcomes, it is best to check with MOXI staff prior to enrolling to ensure what you are expecting is what you will be eligible to receive upon completion of your course e.g. statement of attainment, certificate of competency etc.

Go to [www.moxi.com.au](http://www.moxi.com.au) to book and pay online or download an Enrolment Form. Email completed enrolment forms to [enquiry@moxi.com.au](mailto:enquiry@moxi.com.au).

### Enrolment confirmation

A Course Confirmation Letter (CCL) is sent out approximately two weeks prior to the scheduled commencement of training. These are course specific and provide the information on what you are required to do before attending and what you need to bring with you. They can contain:

- The date, time and location of the course
- The units of competency and structure of the course in which you have enrolled
- Any requirements to wear specific attire
- Any pre-course work that you are required to complete before the commencement of training
- Instructions to bring original documentary evidence that proves your eligibility to meet the selection requirements (e.g. electrical licence)

*\* If you book for your training more than two weeks in advance, we will send you an email verification to confirm your enrolment and that a place has been secured for you on the nominated date. Your CCL will be sent closer to the date of training.*

### Catering

Coffee and tea making facilities are available, together with refrigeration and a microwave for your convenience.

## EXPECTATION OF ALL CLIENTS ATTENDING MOXI COURSES

### Punctuality

Please be punctual, organized, attentive and refreshed. Clients are required to stay for the full duration of the course on each day to ensure no content or assessments are missed. Your attendance and participation are important elements and contribute to your overall result.

### Accommodation and traffic

It is recommended that clients allow enough travel time given the heavy traffic that occurs in peak hour and those clients from out of town should consider accommodation near the venue.

### Pre-course work

If you are directed to complete a pre-course questionnaire, this must be handed to your Trainer Assessor on the first day of training. We strongly recommend that if you are challenged by that questionnaire, please go to our eLearning website and logon to complete our Online EEHA Awareness Course (free of charge, details in CCL). This is to ensure that you have refreshed your knowledge to the level required at the start of the course.

### Call outs and appointments

Absences from training are not permitted as the volume of learning required for a MOXI course is substantial. Please do not enrol in one of our courses with the knowledge that you are required to be on duty or on standby for call out to your workplace or to attend to other appointments during the course. Any time away from the classroom will put you behind and this is unfair for the other clients.

### Unique client identifier (USI)

Anyone enrolling in accredited training will need to provide MOXI with a Unique Client identifier (USI) before we can issue you with your Statement of Attainment.

These can only be applied for online, by the person for whom the USI is being requested and must be kept for all future training in Australia.

If you do not have a client identifier, please go to [usi.gov.au](http://usi.gov.au), follow the instructions to generate a USI and provide this to a MOXI staff member.

### Mobile phones

The use of mobile telephones, pagers or computers is strictly prohibited during training sessions. Sufficient time will be provided within breaks to respond to messages to mobiles and pagers. Urgent messages will be passed to attendees via administration. Anyone caught using their mobile device either in class or in the workshop will be issued with a severe warning and if it occurs again, that person may be expelled from training.



## Language, literacy and numeracy

To meet English language, literacy and numeracy (LLN) requirements you must be able to read, write and interpret documents. You are required to complete assessment tasks such as reading complex standards, written assessments and answering questions relating to practical tasks in English. If you require LLN assistance you may contact The Reading Writing Hotline on 1300 655 506. If required, management can arrange for the provision of language, literacy and numeracy services for individuals. This service is considered to be an addition to the advertised training and will attract a nominal fee. Please contact our office for more details.

## Your own work

Collusion with other clients and/or copying another client's work under assessment conditions is considered to be cheating and will not be tolerated.

If a client is caught cheating, they will be asked to leave the classroom immediately. The matter is then referred to the Managing Director for further investigation and documented action. If this happens to you, you will be required to explain your actions and if it is determined that you did cheat or attempted to cheat on your assessment, expect the following consequences:

- you will be expelled from all further training
- you will be deemed 'not competent' in all assessments that you have completed to date
- if your employer has sponsored your training, they will be notified of your misconduct.

If one client has copied another's work, BOTH will be classified as cheating. Both will be asked to leave the classroom and the situation will be handled in the manner indicated above – DO NOT ALLOW OTHERS TO COPY YOUR WORK.

In instances where a MOXI Trainer Assessor discovers a client to be cheating, in addition to the consequences outlined above, they will also forgo the opportunity to re-sit that or any other assessment at any time and will be excluded from training at MOXI permanently.

In these instances MOXI fully supports any and all decisions made by our Trainer Assessors that uphold the rigor and integrity of our assessment processes.

**Clients are reminded that EEHA is classified as a high risk training area and the determination of competency is taken very seriously.**

## WHAT WILL I LEARN ON THE COURSE AND WILL IT BENEFIT MY WORK

The course content and vocational outcomes specific to your course will be as detailed on our website, on our individual course flyers, in our current year course directory and in your course confirmation letter. BEFORE ENROLMENT we encourage you to consult with us to ensure you have selected the right course. The details of the content of your course and the associated outcomes will be discussed as part of the orientation session on the first day of your training.

### Workload

A typical day on a MOXI course requires attendance in class for a nominal 8 hours per days however some clients may need to complete extra reading at home to supplement what is learned during the day. When a client is not progressing though the assessment tasks within the scheduled time frame, they should allow themselves a further 1-2 hours each evening to revise the course content. **MOXI courses are intended for those clients who are already working in the EEHA industry, therefore the course is fast paced and rich in content.**

### Role of the trainer assessor

MOXI Trainers Assessors recognize that we all learn differently - some of us are more practical, others grasp theoretical concepts quicker, some express themselves better orally than on paper. Our Trainers Assessors are able to accommodate for these differences. Should you struggle at any stage, always ask for assistance. This way we can address any potential barriers to your learning and the Trainer Assessor will have the ability to make any reasonable adjustment necessary to compensate for these barriers. There are many different strategies our Trainers can engage to assist you to achieve a better outcome however if you don't come forward and discuss this, it risks not being addressed early enough – don't leave it until the last day!

### Assessments

Assessments are continually marked and outcomes are recorded to monitor progression. The Trainer Assessor provides feedback to clients to improve knowledge and skills to build competence. Marked assessments are returned to clients if a second attempt is required. The Trainer Assessor will offer suggestions and guidance to individuals on how to re-attempt questions which they were not able to successfully complete in the first instance. After the second attempt, a competency judgment on that assessment task will be made.

### When the gap is too large to achieve competency?

Often clients are unable to demonstrate competence in all of the units of competence within the timeframe given. The MOXI Assessment Policy states that two attempts at achieving the competency benchmark is allowed for each assessment within the course hours. If after this a competency outcome is still not achieved, the client will be eligible to return to MOXI at a later date for re-assessment.

## Re-assessment

In a feedback email received within 3 working days of course completion, the Trainer Assessor will advise the client what additional learning is required and/or what type of evidence must be gathered. Clients are informed that they must make contact with MOXI within three weeks from the date of the email to advise on their availability for re-assessment. MOXI will allow up to two (2) re-assessment attempts per assessment task for any one course enrolment. If after this time a client is still deemed Not Yet Competent, the client will need to re-enrol and complete the training and assessment again.

## Issuing of qualification/ statement of attainment

Upon successful completion of all of the assessment tasks for each of the units of competency that make up your course, clients will be issued with a *Statement of Attainment* within 30 days of completing the last of these assessments (including all re-assessments). Your trainer will notify you of this outcome and your statement will follow in the mail.

Those clients who had a gap in competency and were given the opportunity to book for re-assessment and did not respond to the offer within 3 weeks are deemed to have completed their course on the last day of training. It is from this date that results will be finalised and only the units of competency that were assessed as competent then will be recorded as being successfully completed. A *Statement of Attainment* for those units for which they did receive competency will then be posted. This time frame is set to ensure MOXI maintains compliance with the Standards for Registered Training Organisations 2015 by finalising the results and issuing the credential within 30 days of receiving the last of the assessments for that client.

Depending on circumstance, MOXI issues the following credentials:

*Statement of Attainment* - can only be used for recognising assessment of competency in specific units of competency from an Australian Nationally Recognised Training Package and is issued under the Australian Qualifications Framework (AQF) eg. UEE11

*Certificate of Competency* - used to demonstrate / record that an individual has attended a competency based course and is issued when the individual has met both the pre-requisite requirements and DEMONSTRATED COMPETENCY in assessments in line with AS/NZS 4761

*Record of Attendance* - used to demonstrate / record that an individual has attended a particular course. Issued in cases where the individual has attended a NON-COMPETENCY based course or the individual has NOT DEMONSTRATED COMPETENCY however they have attended the course.

*Certificate of Completion* - used to demonstrate that the individual has enrolled and completed a MOXI E-learning program. These are not competency based and no assessments are undertaken.

*Certificate (Qualification)* – issued when a person has successfully fulfilled the requirements of a full qualification, that being a certificate level I, II, III or IV, diploma or advanced diploma from an Australian Nationally Recognised Training Package and is issued under AQF eg. UEE11

**NB. Apprentices in their 3<sup>rd</sup> or 4<sup>th</sup> year can attend the Installation, Maintenance & Detailed Inspection Course but will only receive a statement of attainment, should they be successful, on the presentation of an Australian Unrestricted Electrical Licence within 24 months of completion of their training.**

## FEES, CHARGES AND CANCELLATIONS

### Fees

MOXI does not charge clients the course fee until the first day of training however, in order for an enrolment to be processed, payment details or a purchase order number must be provided on the enrolment form in order to secure a place on one of our courses.

### Refunds

MOXI reserves the right to cancel any course prior to the commencement of training. In the event a course is cancelled, no fee is payable.

- Clients must advise MOXI in writing of their intention to cancel or transfer the date of their enrolment. Notification must be in writing, addressed to the MOXI Office Manager and emailed to [enquiry@moxi.com.au](mailto:enquiry@moxi.com.au). A cancellation or transfer request should only be presumed successful if you have received an email confirming this.

Once training has commenced no refund options are available and the client is liable to pay the full course fee

### Cancellation notice

For clients who provide us more than 10 working days' notice when cancelling a place on a course, no cancellation fee is payable. However, if written notification is not provided more than 10 days prior to training commencing, this will attract a charge of 50% of the full course cost.

In instances where the cancellation is deemed to be beyond the client's control, enrolment may:

- be allocated to another person
- transferred to another course without attracting a cancellation fee.

Individual circumstances will be considered fairly and the outcome of each will be determined on merit. All decisions are at the discretion of the MOXI Office Manager.

## COMPLAINTS, GRIEVANCES AND APPEALS

MOXI prides itself on delivering quality training and assessment services. However, we recognise that at times a dispute may arise or a client may have reason to be dissatisfied with aspects of our service. We encourage our clients to resolve concerns or difficulties directly with the person(s) however all MOXI team members are approachable and are willing to assist should you wish to speak with someone other than the person you have the concern with. With this approach, we find that most, if not all concerns can be addressed at this level and problems do not escalate by remaining unresolved. MOXI keeps a record of any actions taken to find a resolution at an informal level however, all clients are entitled to proceed with the formal complaints and appeals process.

### Complaints

1. Contact the MOXI office to obtain a complaint form or from our website [www.moxi.com.au](http://www.moxi.com.au).
2. Lodge your formal complaint within 5 working days of the event.
3. Your case is presented to the Managing Director whose aim is to negotiate an acceptable outcome for all parties and a meeting will occur within 10 working days of lodging the complaint.
4. In the unlikely event that no suitable outcome can be reached, an independent third party (Australian Mediation Society) can be requested to mediate the process. The cost of this would be divided equally between MOXI and the complainant.

### Appeal against assessment

If an assessment decision has been reached and the client strongly feels that he/she has been assessed unfairly, a client can lodge an appeal within 5 days to challenge the assessment decision.

1. Contact the MOXI office to obtain an assessment appeal form or from our website [www.moxi.com.au](http://www.moxi.com.au)
2. Lodge a formal assessment appeal by following the steps as outlined on the form
3. The assessment outcome in question will be reviewed by MOXI's Compliance/L&D Coordinator who will contact the complainant within 10 working days of lodgement of the form. All parties will be requested to attend a meeting at MOXI HQ and a Skype link will be set up for those regionally dispersed.
4. If a suitable resolution cannot be found and the client is still dissatisfied with the assessment outcome, an independent third party (Australian Mediation Society) can be requested to mediate the process. The cost of this would be divided equally between MOXI and the Complainant.

In all cases the complainant has the right to take the complaint or appeal further by contacting either:

#### National Training Complaints Hotline

**Phone:** 13 38 73, Monday–Friday, 8am to 6pm nationally OR **Email:** [skilling@education.gov.au](mailto:skilling@education.gov.au)

#### Australian Skills Quality Authority

The information for making a complaint against an RTO is available on the website [www.asqa.gov.au](http://www.asqa.gov.au)

## RECOGNITION OF CREDIT

### Credit transfer

Many training products will have units of competence that are common to more than one qualification/skill set and a client may have previously successfully completed these. Mutual recognition ensures that as an RTO, MOXI will recognise units previously achieved under the AQF and give a credit transfer for those units (like for like). The client must provide the original copy of the certificate or statement of attainment that details the relevant units of competency for which the credit transfer is being applied. There is generally no fee involved but will only be considered for clients that are already enrolled in a course or about to commence training at MOXI.

### Articulation

Articulation enables a client to progress from a completed qualification/skill set through a defined credit pathway into another program of study. Anyone who has completed the IMDI skill set can articulate in to the Certificate IV Hazardous Areas – Electrical with a predetermined training plan as the units from the electrical licence and IMDI skill set have already been credited on enrolment.

### Recognition of prior learning (RPL)

Recognition of prior learning (RPL) is an assessment process used to assess competencies that a client may have developed through previous training, work or life experience. In order to grant RPL, the assessor must determine the extent to which the client meets the requirements specified in one or more units of competency from a nationally recognised training package.

MOXI offers RPL to individual clients for qualifications and units of competency within its scope of registration. MOXI will provide those clients who are interested with an application form and information to help them judge whether RPL is right for them.

### Recognition of current competency

The assessment of a person's current capacity to perform applies if a client has previously successfully completed the requirements for a unit of competency and is now required to be reassessed to ensure that the competence is being maintained.

### POTENTIAL CLIENTS PLEASE NOTE:

RPL is a formal assessment process which excludes the training section of a course, essentially being assessment only. It is not a way of shortcutting your way through a qualification. A non-refundable deposit of \$500 is required to be assessed for RPL and involves an extensive amount of work from the client to gather the necessary documentation, evidence requirements being very rigorous. In all cases RPL applicants are required to complete the full range of assessment tasks for each of the units of competency contained within the RPL application and the overall costs are equal to that of completing the course via the training pathway.

## Application process and fees - recognition of credit

You can have your eligibility assessed for either credit transfer, articulation, RPL or RCC by completing the *Application for Recognition of Credit* form available from our website.

There is generally no charge for a direct *credit transfer* however it is not necessary unless your enrolment in a MOXI course has been accepted. If your case requires the establishment of equivalence for the first time (eg. newer version of a training package has since been released), a nominal fee may apply. We will notify you before proceeding if this applies to you.

*Articulation* into the Certificate IV in Hazardous Areas – Electrical for clients with prior successful completion of the IMDI skill set will also not normally incur a charge as this is a predetermined pathway and an established entry/exit point within our Certificate IV delivery and assessment structure.

### Fees

#### RPL/ RCC:

**Application Fee:** \$500

**Assessment Fee:** Full cost of the training minus application fee

### NOTE:

As the charge for *RPL* assessment is equivalent to the current course price, if at any stage a client decides that they would prefer to attend the training before being assessed, the application fee paid will be credited back to you.

## REPLACEMENT CREDENTIALS

If you require a replacement of your credentials that were issued to you previously, please contact us. You will need to sufficiently ID yourself and pay the replacement fee of **\$50.00** before we can re-print this for you. We strongly recommend that you keep your credentials safe and do not give employers or anyone else your original documentation, a certified copy will suffice for their purposes.

Please note that the re-printed credential will show the original issue date and the re-issue date, including a statement that it is a re-issue. This does not update the currency of your competencies.

## ACCESS AND EQUITY

MOXI strives to meet the needs of each client through incorporating access and equity principles and practices which acknowledge the right of all clients and staff to equality of opportunity. We are committed to providing a fair and equitable workplace and learning environment and endeavour to ensure that equal access and opportunity is provided for all clients and team members through implementation of the following strategies:

- Ensuring that learning and assessment processes and the work place, are free from cultural, ethical, religious, gender or age bias so that every client receives consistent training in an all-inclusive rather than exclusive environment for them to reach their full potential.
- Providing reasonable adjustment in our assessment processes to cater for the needs of those with learning or physical disabilities.
- Providing literacy or numeracy support to clients in need to ensure a fair delivery and assessment process.
- Providing communication to clients, client companies, team members and contractors which is equitable and free of harassment or discrimination in any way.
- Providing access and support to all clients and team members to solve complaints, grievances or appeals and recognising the process as an opportunity for improvement.

Any team member or contractor found to be discriminating against, harassing or victimising any person will be subject to serious disciplinary action by the Managing Director.

### Support, welfare and guidance services

We offer a range of client services designed to assist and guide you through your training and to safeguard your rights as a client. The opportunity for you to access some of these services is provided at enrolment and some others are available upon request:

- i) Recognition of credit including RPL, credit transfer and articulation.
- ii) Language, literacy and numeracy support (LLN).
- iii) Flexibility in delivery that caters to different clients' needs.
- iv) Guidance with regard to training pathways, selected skill sets and training outcomes.
- v) Payment flexibility where possible.
- vi) Provision for any specific cultural, religious or dietary needs.

Please contact MOXI HQ weekdays between 8.00am-4.00pm if you require assistance regarding course enrolment, cancellation, training services, course materials, assessment dates, access and participation issues or any other concern. If the assistance you require is related to the course content, tell us a convenient time and we will get one of our Trainer/Assessors to contact you.



## TRAINER ASSESSOR DISCIPLINARY RIGHTS

To ensure all clients are provided with an equal opportunity to learn and achieve, unruly or dysfunctional behaviour will not be tolerated at any of our sessions. If, at any time, you exhibit such behaviour, our MOXI Trainer/Assessor staff reserves the right to refuse the client from continuing with the course. Such instances that could result in exclusion from training include but are not limited to when an individual:

- is abusive
- uses a mobile phone during training
- threatens or is disrespectful to other clients
- refuses to participate
- continuously interrupts the trainer whilst delivering the course content
- uses offensive language
- has been absent for parts of the training
- smoking in non-smoking areas
- acts in an unsafe manner that places themselves and others at risk
- displays disruptive or obstructive behaviour
- attempts to coerce other persons into behaving in a disruptive or obstructive manner

In most situations the Trainer Assessor will, in the first instance and as an act of good faith, take the offender aside in order to speak to them privately about the issue. If the behaviour continues, the offender will receive a formal verbal warning, and finally if it still continues, the offending individual will be excluded from all further training and assessment.

Any person suspected of attending training under the influence of alcohol or drugs or caught cheating in an assessment situation (see page 6 – Your Own Work) will have the opportunity to be heard by the Managing Director, however in these instances MOXI fully supports all and any decisions made by our Trainer Assessor staff. Such behaviour is considered a very serious breach of conduct and misconduct of this nature is considered to be grounds for expulsion.

## PRIVACY STATEMENT

### Privacy notice

Under the Data Provision Requirements 2012, MOXI is required to collect personal information about you and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER).

Your personal information (including personal information contained on the enrolment form and your training activity data) may be used or disclosed by MOXI for statistical, regulatory and research purposes. MOXI may disclose personal information for these purposes to third parties, including:

- School – if you are a secondary student undertaking VET, including a school-based apprenticeship or traineeship.
- Employer – if you are enrolled in training paid by your employer.
- Commonwealth and State or Territory government departments and authorised agencies.
- NCVER.
- Organisations conducting student surveys.
- Researchers.

Personal information disclosed to NCVER may be used or disclosed for the following purposes:

- Issuing statements of attainment or qualifications and populating authenticated VET transcripts.
- Facilitating statistics and research relating to education, including surveys.
- Understanding how the VET market operates for policy, workforce planning and consumer information.
- Administering VET, including program administration, regulation, monitoring and evaluation.

You may receive an NCVER student survey which may be administered by an NCVER employee, agent or third-party contractor. You may opt out of the survey at the time of being contacted.

NCVER will collect, hold, use and disclose your personal information in accordance with the Privacy Act 1988 (Cth), the VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at [www.ncver.edu.au](http://www.ncver.edu.au)).

## Access to your own training and assessment outcomes

You have the right to request to review your training file.

If you wish to review your file, please email us to arrange a suitable time. Client files can only be viewed at our Perth MOXI office.

## FEEDBACK

Just as clients require feedback, so does MOXI / Skill + Learning. At the end of your course we ask that you complete a learner survey as the means and opportunity to provide this feedback to us. We believe all aspects of the training experience should consistently be evaluated from the perspective of the client and we welcome all feedback - good or bad. You are encouraged to rate us exactly as you see us for each of the criteria, provide any additional comment - you may choose to remain anonymous if you prefer.

We collect the data as an indicator to gauge how we are performing as an RTO and this is tabulated and reported to management on a regular basis.

## DISABILITY SUPPLEMENT

### Introduction

The purpose of the disability supplement is to provide additional information to assist with answering the disability question.

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If you indicated the presence of a disability, impairment or long-term condition, please select the area(s) in the following list.

Disability in this context does not include short-term disabling health conditions such as a fractured leg, influenza, or corrected physical conditions such as impaired vision managed by wearing glasses or lenses.

### Hearing/deaf

Hearing impairment is used to refer to a person who has an acquired mild, moderate, severe or profound hearing loss after learning to speak, communicates orally and maximises residual hearing with the assistance of amplification. A person who is deaf and has a severe or profound hearing loss from, at, or near birth mainly relies upon vision to communicate, whether through lip reading, gestures, cued speech, finger spelling and/or sign language.

### Physical

A physical disability affects the mobility or dexterity of a person and may include a total or partial loss of a part of the body. A physical disability may have existed since birth or may be the result of an accident, illness, or injury suffered later in life; for example, amputation, arthritis, cerebral palsy, multiple sclerosis, muscular dystrophy, paraplegia, quadriplegia or post-polio syndrome.

## **Intellectual**

In general, the term 'intellectual disability' is used to refer to low general intellectual functioning and difficulties in adaptive behaviour, both of which conditions were manifested before the person reached the age of 18. It may result from infection before or after birth, trauma during birth or illness.

## **Learning**

A general term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning or mathematical abilities. These disorders are intrinsic to the individual, presumed to be due to central nervous system dysfunction and may occur across their life span. Problems in self-regulatory behaviour, social perception and social interaction may exist with learning disabilities but do not by themselves constitute a learning disability.

## **Mental Illness**

Mental illness refers to a cluster of psychological and physiological symptoms that cause a person suffering or distress and which represent a departure from a person's usual pattern and level of functioning.

## **Acquired brain impairment**

Acquired brain impairment is injury to the brain that results in deterioration in cognitive, physical, emotional or independent functioning. Acquired brain impairment can occur as a result of trauma, hypoxia, infection, tumour, accident, violence, substance abuse, degenerative neurological diseases or stroke. These impairments may be either temporary or permanent and may cause partial or total disability or psychosocial maladjustment.

## **Vision**

This covers partial loss of sight causing difficulties in seeing, up to and including blindness. This may be present from birth or acquired as a result of disease, illness or injury.

## **Medical condition**

Medical condition is a temporary or permanent condition that may be hereditary, genetically acquired or of unknown origin. The condition may not be obvious or readily identifiable, yet may be mildly or severely debilitating and result in fluctuating levels of wellness and sickness, and/or periods of hospitalization; for example, HIV/AIDS, cancer, chronic fatigue syndrome, Crohn's disease, cystic fibrosis, asthma or diabetes.

## **Other**

A disability, impairment or long-term condition which is not suitably described by one or several disability types in combination. Autism spectrum disorders are reported under this category.

## LEGISLATION

The MOXI Office Manager maintains a listing of all applicable legislation affecting the delivery of our services in Australia. All staff are informed of changes to legislation through our internal governance activities (team meetings, staff planning meeting and staff email) and our clients and client companies are informed of this legislation from the information contained in this Client Handbook.

Below is a list of important legislation, and the requirements that MOXI is required to meet under each legislative act.

### *National Vocational Education and Training Regulator Act 2011*

The Act provides a range of sanctions of increasing severity, escalating from enforceable undertakings and additional conditions on registration through to suspending or cancelling the registration of an RTO. ASQA will apply these powers and sanctions with proportion, rigor, fairness and consistency.

The current set of standards that govern the operations of an RTO are the *Standards for Registered Training Organisations 2015*

### *Student Identifiers Act 2014*

The USI allows all of an individual's training records, entered in the national vocational education and training (VET) data collection, to be linked. The USI makes it easier for clients to find, collate and authenticate their VET achievements into a single transcript. It will also ensure that clients' VET records are not lost.

### *Work Health and Safety Act. 2011 (NSW, QLD, NT), Work Health and Safety Act 2012 (ACT, SA, TAS), Occupational Safety and Health Act 1984 (WA), Occupational Health and Safety Act 2004 (VIC)*

The main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces by:

- a) Protecting workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work; and
- b) Providing for fair and effective workplace representation, consultation, co-operation and issue resolution in relation to work health and safety; and
- c) encouraging unions and employer organisations to take a constructive role in promoting improvements in work health and safety practices, and assisting persons conducting businesses or undertakings and workers to achieve a healthier and safer working environment; and
- d) promoting the provision of advice, information, education and training in relation to work health and safety; and
- e) Securing compliance with this Act through effective and appropriate compliance and enforcement measures; and
- f) Ensuring appropriate scrutiny and review of actions taken by persons exercising powers and performing functions under this Act; and

- g) Providing a framework for continuous improvement and progressively higher standards of work health and safety; and
- h) Maintaining and strengthening the national harmonisation of laws relating to work health and safety and to facilitate a consistent national approach to work health and safety in this jurisdiction. (2) In furthering subsection (1)(a), regard must be had to the principle that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare from hazards and risks arising from work as is reasonably practicable.

### *Competition and Consumer Act 2010*

The Competition and Consumer Act 2010 (CCA) covers most areas of the market: the relationships between suppliers, wholesalers, retailers, and consumers. Its purpose is to enhance the welfare of Australians by promoting fair trading and competition, and through the provision of consumer protections.

Broadly, it covers:

- product safety and labelling
- unfair market practices
- price monitoring
- industry codes
- industry regulation – airports, electricity, gas, telecommunications
- mergers and acquisitions.

### *Disability Discrimination Act 1992*

To eliminate, as far as possible, discrimination against persons on the ground of disability in the areas of: work, accommodation, education, access to premises, clubs and sport; and the provision of goods, facilities, services and land; and existing laws; and the administration of Commonwealth laws and programs; and to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

### *Racial Discrimination Act 1975*

Racial discrimination occurs under the RDA when someone is treated less fairly than someone else in a similar situation because of their race, colour, descent or national or ethnic origin. Racial discrimination can also occur when a policy or rule appears to treat everyone in the same way but actually has an unfair effect on more people of a particular race, colour, descent or national or ethnic origin than others.

### *Sex Discrimination Act 1984*

The Act seeks to create recognition and acceptance within the community of the principle of the equality of men and women.

### *Age Discrimination Act 2004 (Cth)*

The Age Discrimination Act aims to ensure that all Australians – young and old and everyone in between – are treated equally and have the same opportunities as others. The Act protects you against discrimination in many areas of public life, including:

- employment – getting a job, terms and conditions of a job, training, promotion, being dismissed.
- education – enrolling or studying in a course at a private or public school, college or university.
- accommodation – renting or buying a house or unit.
- getting or using services – such as banking and insurance services, services provided by government departments, transport or telecommunication services, professional services like those provided by lawyers, doctors or tradespeople, services provided by restaurants, shops or entertainment venues.

### *Anti-Discrimination Act 1977 (NSW only)*

Its stated purpose is 'to render unlawful racial, sex and other types of discrimination in certain circumstances and to promote equality of opportunity between all persons.

### *Privacy Act 1988 and Australian Privacy Principles (2014)*

Australians have a right to know why such information about them is being acquired, and who will see the information. Those in charge of storing the information have obligations to ensure such information is neither lost nor exploited. An Australian will also have the right to access the information unless this is specifically prohibited by law.

### *Fair Work Act 2009*

This is the main legislation that governs the employee / employer relationship in Australia. It provides a safety net of minimum entitlements, enables flexible working arrangements and fairness at work and prevents discrimination against employees.

### *Competition and Consumer Act (2010)*

The main federal law, the Competition and Consumer Act 2010 (CCA) ensures that trading is fair for your business and your customers. The CCA covers most aspects of the marketplace: dealings with suppliers, wholesalers, retailers, competitors and customers. It deals with unfair market practices, industry codes of practice, mergers and acquisitions of companies, product safety, collective bargaining, product labelling, price monitoring, and the regulation of industries such as telecommunications, gas, electricity and airports.

### *Copyright Act 1968*

Under copyright law, the copyright owner has a number of exclusive rights including the right to publish the work, control copying, prepare derivative works and perform of their work as well as the right to make the material available online.

- Copyright is really a set of rights – copyright owners have economic and moral rights as well as legal rights.
- Copyright law aims to protect the creative work of the copyright owner from unauthorised use by others.
- Copyright law also tries to balance this right with the general public’s right to access information.
- Copyright protects the written expression of an idea or concept - it does not protect the actual idea or concept itself.
- Copyright doesn’t give the author of a work a monopoly over the ideas or information expressed in that work – anyone can use the ideas contained in a work provided they do not use the exact words used by the author to describe the idea or concept.

If clients require any further information regarding relevant legislation, please contact MOXI HQ to access a copy our Legislation Policy.



## GLOSSARY OF TERMS

**Assessment** - is a process to determine a client's achievement of expected learning outcomes and may include a range of written and oral methods and practice or demonstration.

**Australian Qualifications Framework (AQF)** provides the hierarchy of educational qualifications in Australia. It is administered nationally by the Australian Government Department of Education, Employment and Workplace Relations.

**Competency** - is the ability of an individual to do a job properly. Competency is a set of defined behaviours that provide a structured guide enabling the identification, evaluation and development of the behaviours in individual employees.

**Course** - program of learning, accredited unit and accredited short course.

**Extensions** – is a process where clients negotiate their assessment timeframes with their Trainer Assessor.

**Module/s** - An accredited learning component that comprises one or more components (e.g. cluster of units of competency, accredited modules or subjects) that has been accredited by an accrediting authority.

**Recognition of prior learning (RPL)** - is an assessment process that involves assessment of an individual's relevant prior learning (including formal, informal and non-formal learning) to determine the credit outcomes of an individual application for credit (National Quality Council Training Packages glossary).

**Registered training organisation (RTO)** - A registered training organisation is a vocational education and training organisation registered by a state or territory registering body in accordance with the Australian Quality Training Framework (AQTF) Essential Standards for Registration within a defined scope of registration.

**Re-assessment** – is an additional attempt given to complete an assessment and demonstrate competency.

**Units of competency** – are components of a qualification including modules, subjects, units of competency or units, the completion of which leads to an AQF qualification.

**Unit cluster** - is components of a qualification sometimes referred to as modules in clustered situation, subjects, units of competency or units grouped together, the completion of which leads to an AQF qualification.

**Vocational education (VET)** is an education that prepares trainees for jobs at various levels from a trade to a specialised field, role or position.