

**Vertical Horizonz
Australia
RTO #31160**

Student Handbook

2021

This Student Handbook
has been prepared for the clients of:

Vertical Horizonz Australia Pty Ltd
RTO #31160

A.B.N. 97 097 721 474

A.C.N. 097 721 474

Address: Unit 3/94 Delta Street
Geebung QLD 4034

PO Box 471
Virginia BC QLD 4014

Phone: 1 800 143 113

Fax: 07 3633 0153

Email: admin@verticalhorizonz.com.au

Web: www.verticalhorizonz.com.au

Vertical Horizonz Australia

Phone: 1800 143 113 Fax: 07 3633 0153
admin@verticalhorizonz.com.au

Unit 3/94 Delta Street, Geebung QLD 4034
www.verticalhorizonz.com.au

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admin@verticalhorizonz.com.au

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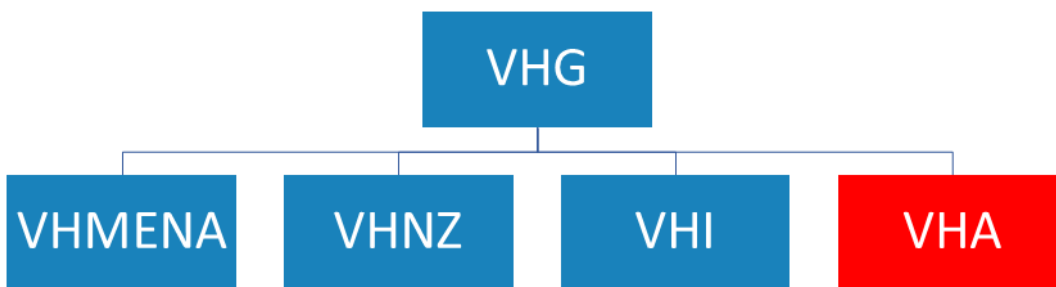
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admin@verticalhorizonz.com.au

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Introduction

Message from the CEO

Congratulations on your choice of Registered Training Organisation (RTO). Vertical Horizonz Australia (VHA) is a member of the Vertical Horizonz Group (VHG). VHA is positioned to train you in context of international best practice. VHA can qualify you for the international job market.



Companies comprising the Vertical Horizonz Group (VHG)
Vertical Horizonz Middle East and North Africa (VHMENA); Vertical Horizonz New Zealand (VHNZ), Vertical Horizonz International (VHI) and Vertical Horizonz Australia (VHA)

We create safety certainty

Vertical Horizonz are recognized leaders in safety solutions, providing world class advisory, partnership, development and training services. They are structured training specialists empowering revolutionary change in people to take responsibility for safety leadership.

Vertical Horizonz structured training develops safe performance; Safe performance ensures certainty; and Certainty creates productivity.

As an RTO VHA underpin and assess their training against nationally recognised qualifications ensuring the approved Australian quality standards are met.

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admin@verticalhorizonz.com.au

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Our Mission

We provide 'real training that saves lives'.

Real training is evidenced when learners embed learning into long term behavioural change, take personal responsibility for safety leadership, and improve safety and certainty, reducing loss and saving lives.

Our values

Integrity

We are compliant safety Subject Matter Experts (SME)

Respect

We respect people and their safety.

Lead

We champion safety with integrity, commitment and innovation.

Empower

We empower others to take responsibility for Safety Leadership.

VHA operates with Integrity, has a Respect for safety, the work and its stakeholders, and believes in the Empowerment of people to take Leadership roles to create Safety Certainty.

Our BRAND PROMISE: Safety.Certainty.Productivity

Safety provides Certainty, increasing Productivity

We develop and build value in other people's people. It's not just about safety. It's about responsibility. People are developed and empowered to take responsibility for safety leadership at work.

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admin@verticalhorizonz.com.au

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Legislative Context

VHA must comply with all relevant Commonwealth, State or Territory legislation and regulatory requirements relevant to its activities and scope of registration.

Information is available at: <http://afp.gov.au>.

Your Consumer Rights and Responsibilities

When you enrol in a training program with VHA you should be aware that you are entering into a contractual agreement.

On its part VHA must provide you with:

- an identified, current and compliant training product;
- all relevant costs and fee information including:
 - the fees that must be paid to VHA and
 - any other costs related with the service i.e. resource or materials costs, trainer travel and/or accommodation costs, fees charged by any third party for site access or use of plant etc. and
 - any costs incurred in the payment of the fees and/or other costs including any loan fees, deposit and refund costs etc. and
 - any terms of payment, including the means of payment, the amounts to be paid and their timing, and
 - the terms of agreement and costs for postponement, withdrawal and/or cancellation of, or from, a course or programme;
- the training and assessment, and all the educational material and support you will need to successfully complete the course or programme within an agreed timeframe;
- a guarantee to complete the course or programme within an agreed timeframe;
- information on any third-party involvement including arrangements with:
 - employers and/or other third parties for access to resources such as sites, plant and/or equipment, work and/or supervision and/or
 - funding organisations who may be funding or subsidising your course or programme;

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- the implications of these arrangements and any condition or limitation that may arise from them;
- a guarantee to inform you of any change that may impact your course or programme, or its quality, as soon as it becomes apparent, including any significant change:
 - in employer, funder or third party supporting and/or contributing to the course or programme in any way and/or
 - in the RTO itself, its ownership, structure and/or circumstance;
- appropriate certification documentation within 30 days of you successfully completing and meeting all obligations of your course or programme; and
- details of the VHA complaints, discipline and appeals process.

On your part you must:

- meet the identified entry and prerequisite requirements; and
- meet all other advertised and agreed requirements of the course or programme including having and using the appropriate Personal Protective Equipment, plant and other teaching and assessment resources etc. and
- pay all fees and provide all the equipment and resources as agreed through the enrolment process; and
- participate and perform, and successfully complete the requirements of your chosen training product within the specified and agreed time; and
- behave in an civil and academicly honest way; and
- repay all agreed loans or debts arising from the provision of VHA's training and assessment i.e. debt incurred under the a funding or support scheme.

Work Health and Safety Rights and Responsibilities

VHA seeks to provide 'safety leadership' and promote a positive 'safety culture' in all that they do. Its staff, trainers and assessors are health and safety practitioners who will work with you to ensure the hazards and risks of your training environment is managed at all times.

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admin@verticalhorizonz.com.au

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VHA staff, trainers and assessors will:

- check and identify the hazards, safety and health risks, quality standard requirements of training sites, plant and/or equipment and/or of each activity prior to training or assessment; and
- if at all possible, eliminate the hazards, safety and health risks, at source; or
- where this is not possible, minimise the hazards, safety and health risks, in accordance with the hierarchy of controls, through substitution, isolation, engineered and/or administrative controls, or through the use of appropriate Personal Protective Equipment; and
- monitor the hazards, safety and health risks, environment and/or quality standards throughout the training and assessment activities; and
- not undertake, or stop, an activity, if the hazards, safety or health risk, environment and/or quality standards are compromised and/or uncontrolled.

On your part you must:

- not be compromised or impaired by medication, drugs or alcohol during training and assessment;
- ensure your Personal Protective Equipment is appropriate, checked, compliant, and worn to best manage the hazards, safety and/or health risks, and/or meet the quality standards;
- participate in the Job Safety (and Environment) Analysis prior to the start of each practical training and assessment activity; and
- help eliminate identified hazards, safety and health risks, at its source; or
- where this is not possible, help minimise the hazards, safety and health risks, in accordance with the hierarchy of controls; and
- help monitor safety and health risks, environment and/or quality standards throughout the training and assessment activities; and
- not undertake, or stop, any activity if the safety and/or health risk, environment and/or quality standards are compromised and/or uncontrolled.

VHA staff, trainers and assessors reserve the right to stand down and refer people to the Complaint, Discipline and Appeals procedure if their behaviour risks compromising their health and safety and/or the health and safety of others.

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admin@verticalhorizonz.com.au

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The Complaint, Discipline and Appeals procedure is outlined later in this handbook.

Fair and Equitable Access Rights and Responsibilities

True to the organisation's values VHA seeks to provide fair and equitable access to its services. You can expect VHA to treat you with integrity and respect, affording you the dignity due to you, irrespective of age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level and/or employment status.

VHA will

- advertise and promote their courses and programmes in a transparent manner, detailing any expectations, including entry requirements, prerequisites, Language, Literacy and Numeracy (LLN) requirements, cohort size, location, and any other limitation to its service; and
- provide a fair and equitable access to its advertised service without compromising the integrity of the training package and/or the student's opportunity to successfully complete the training and assessment; and
- where necessary and agreed, provide and/or resource any necessary support and/or reasonable adjustment.

On your part you must:

- complete an enrolment form prior to training and identify the support you may need to successfully complete the training and/or assessment; and
- where necessary, attend a meeting where support options, their costs and implementation can be discussed prior to the training and assessment.

Discrimination Rights and Responsibilities

VHA will not tolerate discriminatory conduct, discrimination, harassment or victimisation, in any of its activities. Harassment is defined as any repetitive behaviour which is reasonably likely to result in the humiliation, offence, intimidation or distress of another person. Where harassment is based on another's disability, age, gender, cultural or ethnic background, sexual orientation, English language ability, literacy or numeracy level, employment status, or any

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Other personal characteristic that a person has little control over, it is considered to be discriminatory. Where harassment and discrimination are intended to cause humiliation, offence, intimidation or distress, it is deemed to be victimisation.

Comments or actions that can be considered to be harassment, discrimination or victimisation will be stopped as soon as they are noticed. Where the harassment, discrimination or victimisation is serious, or repeated, it will be referred to the Complaint, Discipline and Appeals Policy and Procedure.

VHA have a protected disclosure policy and procedure to assist should you need to report harassment, discrimination or victimisation confidentially.

Privacy Rights and Responsibilities

VHA comply with the Privacy Act and address the Australian Privacy Principles within the constraints of its obligations as an RTO.

VHA will:

- collect personal information for the purpose of ensuring it has an authentic record of your training and assessment; and
- collect sensitive information for the purpose of ensuring it can fulfil its duty of care; and
- store it in systematic way so that it can be accessed; and
- make it available to parties authorised to receive it i.e. ASQA and funding organisations; but
- keep this information secure from unauthorised access; and
- not use it for any purpose other than for which it was collected without your explicit and written permission; and
- provide a copy of this information to you within 10 working days of a request; and
- completely destroy it once it is no longer required.

On your part you must:

- complete an enrolment form accurately giving VHA your personal information; and
- provide VHA with a [Unique Student Identifier \(USI\)](#); and

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- provide VHA with the information that evidences any requested entry, prerequisite and/or competency requirement.

The VHA Complaint, Discipline and Appeals procedure provides you with the means to seek redress for any unauthorised access, interference or disclosure, misuse, modification or loss, of your personal information.

Standards for Registered Training Organisations 2015

The Australian Skills Quality Authority (ASQA) is empowered by the National Vocational Education and Training Regulator Act 2011 to serve as the national regulator for Australia's vocational education and training sector. ASQA audits and regulates training providers like VHA against the Standards for Registered Training Organisations 2015 to ensure that they deliver courses and programmes in such a way as they meet the requirements of the training packages, have integrity for the purpose of employment and further study and operate ethically with due consideration of your needs.

To meet the Standards VHA must:

- cooperate with ASQA; and
- have effective governance and administration arrangements in place; and
- comply with all its legislated registration, accreditation and certification requirements, within all its operations, at all times; and
- systematically monitor, evaluate and correct performance and ensure its continuing compliance; and
- ensure that any relevant partnerships are subject to a written agreement binding all parties to the requirements of the Standards; and
- provide accurate and accessible information about its services and performance to allow you to make informed decisions about VHA, and its services; and
- participate in and meet the requirements of the Unique Student Identifier scheme; and
- ensure that you do not need to repeat any AQF unit or module for which you have already been assessed as competent; and

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admin@verticalhorizonz.com.au

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- issue only compliant certification documentation within 30 days as long as it knows you have met the all requirements for that award;
- ensure all records remain accessible, stored appropriately and secured; and
- record, acknowledge and resolve all complaints and appeals fairly, efficiently and effectively.

VHA courses and programmes must:

- meet the requirements of the training packages; and
- be sufficient, having regard for the amount of training required for you to gain the competencies specified in the relevant training; and
- be responsive to industry, client and your needs; and
- be delivered by appropriately qualified Trainers with the right support services, facilities and equipment; and
- be fairly and reliably assessed, directly and/or through the Recognition of Prior Learning, by appropriately qualified Assessors, producing sufficient, current, valid evidence on which to base a judgement of competency; and
- be systematically validated.

On your part you should:

- participate to provide honest and critical feedback to VHA on the course and/or programme, its delivery and resources, and contribute its continuous improvement; and
- cooperate and provide ASQA with accurate information on your experience VHA student if, and when, the opportunity arises.

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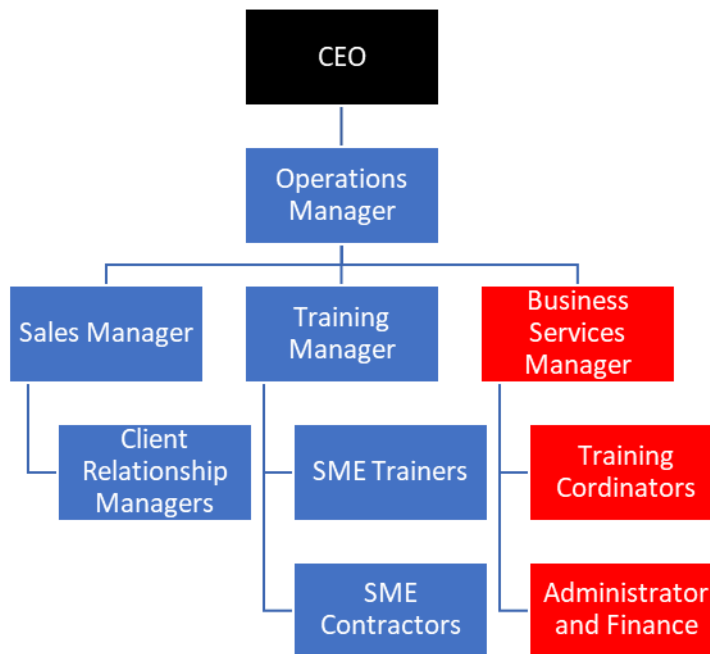
Vertical Horizonz Australia (VHA)

VHA’s special character is based on its understanding that the trainer plays the pivotal role in your training. The trainer must be both expert in the knowledge, skill and attitude, be a Subject Matter Expert (SME), and expert in communicating this to you, be a trained Adult Educator.

VHA’s training follows a structured sequence: You will be given a full explanation of the desired outcome, its rationale and application; then a ‘best industry practice’ demonstration establishing both the relevance and standard of the outcome to be achieved; which will then be imitated, and then practiced by you, before assessment.

All VHA training involves the learner making increasingly independent ‘excursions’ into the trained knowledge, skills and attitudes, demonstrating these in relevant contexts.

VHA Structure



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VHA Services

VHA manages its accreditation scope to deliver and assess programmes and Units of Competency registered on the Australian Qualification Framework (AQF) to meet current training demands.

Its most current scope can be located in VHA's current Capability Statement, Course Catalogue and on the training.gov.au website.

VHA has access to User Choice fee subsidies for eligible candidates in Queensland.

Individual course and programme brochure/s detail each individual course's description, objectives and assessment criteria, its prerequisites, minimum and maximum numbers, location/s, duration and times, costs, and another specific requirement.

Please contact VHA by email at admin@verticalhorizonz.com.au, or by telephone at 1 800 143 113, to be sent the course or programme brochure/s you require.

VHA can also provide training quality assured by other accreditation systems through its agreements with other members of the Vertical Horizonz group: [NZQA](#), [IOSH](#), [NEBOSH](#), [City and Guilds](#), the [International Organisation for Standards](#) (ISO), [IRATA](#) and/or the [Global Wind Organisation](#) (GWO).

In addition to its core business, VHA provide consultancy and management support services on an as and when required basis in such areas as health and safety, risk assessment and security, organisational resilience and capacity building, on the job training and human resource development.

VHA Service Provision

VHA training is unique in the current training environment in that it is, generally:

- full fee recovery;
- delivered by SMEs;
- trained face to face, practiced and assessed practically;
- responsive and tailored to meet specific client training requirements;
- delivered nationally and throughout the Pacific;
- peripatetic, delivered most often on client sites using client equipment for relevancy; and

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- standardised and quality assured by the appropriate accreditation body.

Each individual course and programme brochure detail that course or programme's delivery method and other requirements for provision.

Limitations to VHA Service

VHA do not to accept nor enrol students under the age of 18 years of age.

Enrolling with VHA

Once you have selected your course or programme you will be sent written information detailing the training and assessment event, its location and all costs, expectations and limitations. If you are seeking to enrol into a Qualification an Apprenticeship Services Network (ASN) representative and/or a VHA staff member will also make arrangements to discuss these details with you personally.

The VHA enrolment form also serves as a Language, Literacy and Numeracy (LLN) assessment tool. You may request learning support in the enrolment form and/or it may be identified for you. It may trigger the use of a second specialised LLN tool.

Once the enrolment form is received by VHA you will be sent a confirmation letter and invoice. If you are seeking to enrol into a Qualification you will also receive a Training Plan. The ASN representative and/or a VHA staff member will arrange to meet with you to go through the Training Plan.

Monitoring your Progress

While your trainer and assessor will keep you informed of your progress in a course or programme of study you also have the right to request information about and have access to your own individual records. Your trainer and assessor or administration staff will provide the requested information on demand. Please feel free to ask your VHA trainer and assessor or administration staff for a printout of your progress.

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You will be notified in person or in writing with regards to any programme, Training Plan or provider changes that may affect you and your course or programme information in a timely manner, and VHA will provide you with the opportunity to negotiate alternative arrangements.

Assessment

VHA assessment is competency based and requires the demonstration of competent performance.

In the event of a Not Yet Competent performance have the right to one additional opportunity to demonstrate your competent performance without additional charge.

Credit Transfer and Recognition of Prior Learning

You may demonstrate your through past performances through Credit Transfer and/or a Recognition of Prior Learning (RPL).

Credit Transfer involves the direct transfer of a previously awarded Unit of Competency (UoC) to a VHA course or programme. Note that earlier versions of a UoC may still require you to enter a RPL process.

RPL takes into account the knowledge and skills you may have gained in the past through life and/or work experiences and/or previous training. This information can be measured against your chosen course or programme and if relevant, be used to ensure you do not have to go through unnecessary and wasteful retraining and assessment of knowledge and skill you can demonstrate you already have.

If you believe you may qualify for RPL your trainer and assessor can provide further information and associated forms and support you through the process.

Fees

VHA operates predominately as a 'fee for service' training business. This means all VHA courses and programmes attract fees.

Each course and programme have a specific *all-inclusive* fee. Fees for specific courses and programmes are available in the VHA Capacity Statement and in each

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course or programme's brochure. Fees may also be quoted directly, by email and/or written proposal, quote or email.

The *all-inclusive* course or programme fee is structured differently for programmes focused on the training, assessment and award of a Qualification, and for shorter courses, focused on the training, assessment and award of Unit of Competency.

Shorter course fees, typically less than \$1,000 per person, are invoiced and/or collected on enrolment and/or course booking. These fees are simply paid by or charged to you, your employer, or other funder who has an agreement with VHA to pay the fees.

Programme fees comprise of a 10% deposit paid on application to join the programme and the rest of the fee, which in itself may comprise of your or your employer's contribution to a funded programme, for example the up to \$1.60 per nominal hour contribution required of a User Choice funded programme, and/or money paid by a funder who has an agreement with VHA to pay and/or contribute to your fees. Programme fees, however, tend to be higher than \$1,000 and subject to fee protection in compliance to Schedule 6 of the Standards for Registered Training Organisations 2015. In this case any pre-paid fee or portion of the fee, usually the 10% deposit of the total fee, are held in a separate bank account until the programme delivery commences.

Typically, once the initial 10% deposit has been paid, VHA will invoice you, your employer and/or other funder for instalments on the commencement of each new stage of a programme.

No fee is charged to produce a Statement of Attainment if you have partially completed a programme of study and must withdraw as long as you have paid all the applicable course fees to that point.

VHA do not charge a separate enrolment fee, withdrawal fee, a reassessment fee (in the first instance of a reassessment) nor a resubmission fee (in the first instance of a resubmission).

If you require a reissue of your certification documentation, the following fees apply:

- Statement of Attainment \$30.00+GST

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- Qualification (with academic transcript) \$40.00+GST

Other Costs

Where additional resources are required, for example for trainer travel and accommodation, Personal Protective Equipment, learner support, reference material or software, you will be clearly advised of any additional costs prior to the start of the training.

Training and/or assessment delivered outside 100 km of the main centers of Brisbane, Sydney, Melbourne, Adelaide, Perth and Darwin for example, may attract a travel cost of \$0.75/km. Flights will be on-charged at cost where this is the more cost-effective option.

Accommodation may be charged out at \$160/night (excl. GST).

Total Costs

Total costs are subject to the course or programme you have chosen to do, where you have chosen to do it, how you have chosen to do it and the funding support available to you.

You will be advised of the total costs to you to conduct your training and/or assessment with VHA on application and well before the commencement of your training.

Refunds

Notification of withdrawal, postponement or cancellation of confirmed training must be made in writing. An email will suffice.

In the case of a programme or qualification typically more than 5 days in length the following applies:

- Your 10% deposit paid on application to join the programme is nonrefundable;
- However, if you wish to withdraw from the programme before its commencement you may receive a refund of the full remaining 90%, of the fee;

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- If you withdraw from the programme of study after commencement but before 10% of the programme and/or the programme's agreed delivery period has been completed, you may receive a refund of 50% of the fee; and
- If you withdraw from the programme after 10% of the programme and/or the programme's agreed delivery period has been completed, you will not be eligible for a refund.

In the case of a course, typically five or less days in length, the following applies:

- If you wish to withdraw from, postpone and/or cancel a confirmed course with six or more working days' notice you will receive a full refund and not be invoiced for the course;
- If you wish to withdraw from, postpone and/or cancel a confirmed course with just three to five working days' notice you will receive a 50% refund and/or be invoiced for 50% of the agreed course fee;
- If you wish to withdraw from, postpone and/or cancel a confirmed course within two business days of the course you will not be eligible for a refund, and/or be invoiced for 100% of the full quoted price of the training, and for any unrecoverable associated costs e.g. accommodation/flights booked, rental vehicles etc.

There is no opportunity to be refunded for a Recognition of Prior Learning (RPL) assessment.

Where VHA have postponed or cancelled a programme or course for whatever reason, you may be eligible for a full refund of any fees paid.

Where VHA have had to terminate a programme or course early, for whatever reason, you will be eligible for a partial refund proportional to the amount of the course or programme that remains undelivered and/or for assistance to join the same or similar course or programme delivered at another time or place and/or by another Registered Training Provider.

Where VHA have, in your opinion failed to provide the agreed service you will be referred to the VHA Complaint, Discipline and Appeals procedure. One outcome from this procedure is the full refund of fees.

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Training Guarantee

VHA is committed to ensuring that you can complete your chosen course or programme once commenced. We guarantee that all enrolled, paid up and commenced student will be given every opportunity to complete their training and assessment requirements within the agreed timeframe and receive the associated certification documentation. All actions required to facilitate this will be undertaken in a timely and professional manner. This includes completing any identified training gap.

If for any reason VHA is unable to provide the training, assessment or certification as indicated, VHA will assist you in finding a suitable alternative to complete your training.

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Complaint, Discipline and Appeals

Purpose

To provide transparent, fair and equitable processes in which complaints, discipline and appeals can be actioned in a safe, supportive and effective way for all the parties concerned.

Policy

VHA will acknowledge, act and seek to resolve every instance of concern, appeal and complaint,

An attempt to resolve a concern will be made as soon as practicable at the lowest possible level, with a view to prevent its escalation to complaint, appeal or a disciplinary action.

Where a concern is unable to be resolved to the satisfaction of the parties involved VHA will apply the formal complaint, discipline or appeal procedure, whichever is appropriate.

VHA complaint, discipline and appeal procedures will be systematic and procedural, ensuring each step in the process abides to the principles of natural justice and procedural fairness.

If the procedure fails to resolve a complaint or appeal, or clarify the need for, or the degree of, a disciplinary action, VHA will, at the request of the individual making the complaint or appeal, refer the matter to an appropriate independent party to review the complaint, appeal or disciplinary process to make recommendation.

All actions contributing to a complaint, disciplinary or appeal process will be recorded, and these documents maintained in a secure location.

VHA will require that a Third-Party delivering services on its behalf to record and pass on all relevant complaints and appeals so that VHA may manage the process according to this Policy, within any Third-Party Agreement.

Complaints and appeals will be resolved within 60 days.

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The Chief Executive will review all concerns, complaints, disciplinary actions and appeals, their records and outcomes, at least annually, with the view to assure the implementation of corrective actions to eliminate or mitigate the likelihood of reoccurrence.

This policy and its procedures will be made freely available to the public and advertised to all VHA stakeholders.

Complaint Procedure

Complaints shall be raised in writing and can take the form of a report, letter, form or email addressed to the VHA Operations Manager.

The complainant shall provide sufficient details about themselves and the reason for the complaint, the circumstances surrounding the complaint, who was involved and any appropriate evidence and witnesses to facilitate a meaningful investigation into the complaint.

The complaint shall be logged into the VHA complaints register and dated with the date of receipt of the complaint.

The Operations Manager shall contact the complainant within 48 hours to confirm the receipt of the complaint.

The Operations Manager shall contact all parties to the complaint within 5 days of its receipt to inform them of the complaint.

The Operations Manager shall suspend any party to a complaint where it might reasonably be construed that it would be grossly negligent not to do so, for example in the case of complaints alleging serious misconduct, threatening or dangerous behaviour or harmful example.

The Operations Manager, or appropriate delegate, shall investigate the nature of the complaint for the purpose of resolving it using the following resolution process:

- it shall be assumed that the parties to a complaint wish the complaint resolved in good faith
- the complainant shall be interviewed and the problem, evidence and desirable outcome from the complaint confirmed and/or identified
- the other parties to the complaint shall be interviewed and the problem/s, evidence and desirable outcome/s reviewed from each of these parties' point of view

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- the Operations Manager, or delegate, shall verify the evidence arising from the inquiry and formulate an outcome, based on the regulations, standards, policy, convention or experience, they believe will resolve the complaint, involving the Chief Executive if required, but otherwise keeping this plan confidential, subject to change from any agreement between the parties to the complaint
- the problem, or different perceptions of the problem/s, evidence, and desirable outcome, or the different preferred outcome/s, including that devised by the Operations Manager, shall be listed without reference to any party and sent to each party to the complaint for clarification or comment, and agreement
- if details of the complaint, its evidence, and/or the desirable outcomes, remain contested the parties to the complaint shall be invited in writing to meet to clarify the problem and negotiate a desirable outcome:
 - the meeting shall be:
 - on neutral ground, away from VHA or the premises of any party to the complaint or, at the request of the complainant, electronic
 - mediated by the Operations Manager or, at the request of the complainant, an independent neutral mediator
 - minuted or, with the agreement of all parties attending the meeting, recorded
 - the parties to the complaint shall be invited to bring a support person to the meeting
 - all parties to the complaint shall take a turn to address the complaint, the evidence presented and put their case for their preferred desirable outcome
 - a desirable outcome shall be agreed in writing by the parties to the complaint
- only if the parties to the complaint fail to agree on a desirable outcome the Operations Manager, delegate or neutral third party will explain and promote their preferred outcome/s
- the proposed outcome shall be agreed in writing by the complainant

Agreed outcomes from the complaint resolution process can include one or more of the following:

- no further action
- an appeal
- an apology

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- a rectification to a record or report, reinstatement and/or reissue as appropriate
- a partial or complete reimbursement or payment of fees and/or costs
- a review, remark, or complete or partial reassessment
- enrolment, instatement, reinstatement and/or a compassionate scholarship
- Professional Development of an Independent Contractor, trainer or other staff member
- referral of one or more parties to the complaint to the disciplinary procedure

VHA shall abide to its part in any agreed desirable outcome.

If the complainant remains unsatisfied with the outcome of the complaint's resolution process they shall be referred to the Appeals process.

The complaint resolution process shall be complete when a complainant agrees on a desirable outcome or when they feel that they have exhausted the avenues for appeal.

VHA should finalise a complaint process within 14 days of its lodgment. VHA shall finalise a complaint process within 60 days of its logging in the complaints register.

All records relating to a complaints process and its outcomes shall be stored electronically in the relevant folder on the VHA server as appropriate.

Disciplinary Procedure

Independent contractors, trainers, other staff, staff from third party providers subject to a Third-Party Agreement, and learners shall be referred to a disciplinary process from the complaints process.

The Operations Manager shall be responsible for progressing a complaint into a disciplinary process.

The Operations Manager shall contact all parties to the disciplinary action within 14 days of the receipt of the original complaint.

The Operations Manager shall request respondent/s referred to a disciplinary process to attend a meeting in writing to explain the action/s that gave rise to the complaint.

The written request shall contain:

- the details of the complaint
- the law, regulation, standard, policy or procedure the respondent's actions or behaviours appeared to breach
- a summary of the evidence presented

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- the disciplinary actions available to VHA
- the time and place for the meeting
- the recommendation that the respondent bring an appropriate support person to the meeting

At the meeting the Operations Manager shall continue the investigation of the initial complaint for the purpose of determining if a disciplinary action is appropriate:

- the meeting shall be:
 - face to face
 - mediated by the Operations Manager
 - minuted or, with the agreement of all parties attending the meeting, recorded
- the Operations Manager will address only those items in the written request
- the respondent/s shall respond with any:
 - new evidence
 - explanation
 - mitigating circumstance

The Operations Manager shall consider the respondents response and/or verify any new evidence presented at the meeting.

The Operations Manager shall not consider any counter complaint, accusation or charge raised in the disciplinary meeting rather refer this to the concern or complaints process as a new concern or complaint.

The Operations Manager shall consider the suspension or the continuation of the suspension of the respondent when it might reasonably be construed that it would be grossly negligent not to do so.

The Operations Manager shall request a second meeting with the respondent/ to report on the ongoing investigation and consideration of the respondent's argument, evidence and/or response presented at the first disciplinary meeting:

- the meeting shall be:
 - face to face
 - mediated by the Operations Manager
 - minuted or, with the agreement of all parties attending the meeting, recorded

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- the respondent/s shall be invited to bring an appropriate support person to the meeting
- the Operations Manager shall:
 - detail the complaint
 - detail the law, regulation, standard, policy or procedure the respondent's actions or behaviours appeared to breach
 - detail the evidence presented including that contained in the respondent's response
 - detail the disciplinary actions available to VHA
- the Operations Manager shall ask the respondent/s to comment on any additional information that arose from the continued investigation into the matter
- the Operations Manager will outline a proposed disciplinary action, if any, arising from their investigation
- the Operations Manager shall ask the respondent/s to reflect on and provide comment on the proposed disciplinary action, if any, at a third meeting.

The Operations Manager shall request to meet with the respondent/s for a third time to hear any final comment on a proposed disciplinary action:

- the meeting shall be:
 - face to face
 - mediated by the Operations Manager
 - minuted or, with the agreement of all parties attending the meeting, recorded
- the respondent/s shall be invited to bring an appropriate support person to the meeting
- the Operations Manager shall ask the respondent/s to comment the proposed disciplinary action
- the Operations Manager shall decide if the proposed disciplinary action remains appropriate considering the respondents feed back
 - if so, the Operations Manager shall communicate the action to the respondent explaining the reasons for the decision

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- if not, the Operations Manager shall propose a different disciplinary action, if any, considering the feedback received, and shall ask the respondent/s to reflect and/or comment the proposed disciplinary action, if any, at a later meeting.

The discipline process shall continue until the Operations Manager is satisfied they have considered all feedback from the respondent.

There shall be no requirement to space meetings in any way other than to provide adequate time for the respondent/s to reflect on and develop a response to the details of a complaint.

The disciplinary process shall be complete when the Operations Manager is satisfied they have considered all factors pertinent to a complaint, from both the complainant's and respondent's perspective, and feels able to make a fair judgement on whether disciplinary action is appropriate and if so, what action is the most appropriate.

The Operations Manager shall present a written letter to the respondent only after the third meeting within the disciplinary process. The letter will detail:

- the disciplinary action, if any
- the reasons for the decision
- the respondents right to enter an appeal process

VHA should finalise a disciplinary action within 30 days of the lodgment of the initial complaint. VHA shall finalise a disciplinary process within 60 days of a complaint being logged into the complaints register.

If the respondent remains unsatisfied with the outcome of the disciplinary process they shall be referred to the appeals process.

All records relating to a disciplinary process and its outcomes shall be stored electronically in the respondents Human Resources folder or learner folder on the VHA server as appropriate.

Outcomes from a disciplinary process can include one or more of the following:

- no further action
- an appeal
- an apology
- a payment, replacement or met cost
- some other conditional requirement i.e. counselling, Professional Development, support, improvement performance plan etc.

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- a formal or written warning (a written order to stop a behaviour or action or an order to start a required behaviour or action)
- a stand down, suspension or exclusion
- an expulsion or dismissal
- a referral to the regulator or higher authorities: ASQA or police etc.

Appeals Procedure

Appeals shall be raised in writing and can take the form of a report, letter, form or email addressed to the VHA Chief Executive.

The appellant shall provide sufficient details about themselves and the reason for the appeal, the circumstances surrounding the appeal, what and who was involved and any appropriate evidence to facilitate a meaningful investigation into the appeal.

The appeal shall be logged into the VHA appeal register and dated with the date of receiving the appeal.

The Chief Executive, or delegate, shall contact the appellant and all parties affected by an appeal within 7 days to acknowledge and notify the receipt of the request for an appeal.

The Chief Executive, or appropriate delegate, shall investigate the nature of the appeal for the purpose of resolving it using the following resolution process:

- it shall be assumed that the parties to an appeal wish the appeal resolved in good faith
- the appellant shall be interviewed and the problem, evidence and desirable outcome from the appeal confirmed and/or identified
- the other parties to the appeal shall be interviewed and the problem/s, evidence and desirable outcome/s reviewed from each of these parties' point of view
- the Chief Executive, or delegate, shall verify the evidence arising from the inquiry and formulate an outcome based on the regulations, standards, policy, convention or their experience, they believe will resolve the appeal subject to change from any negotiated agreement between the parties to the appeal
- the problem, or different perceptions of the problem/s, evidence, and desirable outcome, or the different preferred outcome/s, including that of the Chief

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Executive, shall be listed without reference to any party and sent to each party to the appeal for clarification or comment, and agreement

- if the appeal, its evidence or desirable outcomes remain contested the parties to the appeal shall be invited in writing to meet to clarify the problem and negotiate a desirable outcome:
 - the meeting shall be:
 - on neutral ground, away from VHA or the premises of any party to the appeal or, at the request of the appellant, electronic
 - mediated by the Chief Executive, appropriate delegate or, at the request of the appellant, an independent neutral mediator
 - minuted or, with the agreement of all parties attending the meeting, recorded
 - the parties to the appeal shall be invited to bring a support person to the meeting
 - all parties to the appeal shall take a turn to address the issue, the evidence presented and put their case for their preferred desirable outcome
 - a desirable outcome shall be agreed in writing by the parties to the appeal
- only if the parties to the appeal fail to agree on a desirable outcome the Chief Executive, delegate or neutral third party will explain and promote their preferred outcome/s
- the proposed desirable outcome shall be agreed in writing by the appellant

VHA shall abide to its part in any agreed desirable outcome.

If the appellant remains unsatisfied with the outcome of the appeals resolution process they shall be referred to ASQA and told to complete the 'Complaint about a training organisation operating under ASQA's jurisdiction' form:

<http://www.asqa.gov.au/forms.html#complaints> or ring 1300 701 801 or to an appropriate resolution service to deal with the nature of the complaint or appeal in the state it was made.

VHA shall abide by an externally appointed independent mediator's recommendations and the Chief Executive or their nominee, shall ensure that any recommendations made are implemented within 30 days of receipt of a mediator's report.

VHA should finalise an appeal process within 14 days of logging it in the appeals register, or within 60 days of its logging in the complaints register.

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If, for reasons beyond its control, for example owing to an external mediator's requirements, VHA considers that an appeals process is going to exceed the 60calendar day limit VHA shall, as soon as practicably possible:

- inform the parties to the appeal of the delay and the reasons for the delay in writing
- regularly update the parties to the appeal on the progress of the matter.

The appeal resolution process shall be complete when an appellant agrees on a desirable outcome or when they feel that they have exhausted the avenues for appeal.

All records relating to an appeals process and its outcomes shall be stored electronically in the relevant folder on the VHA server as appropriate.

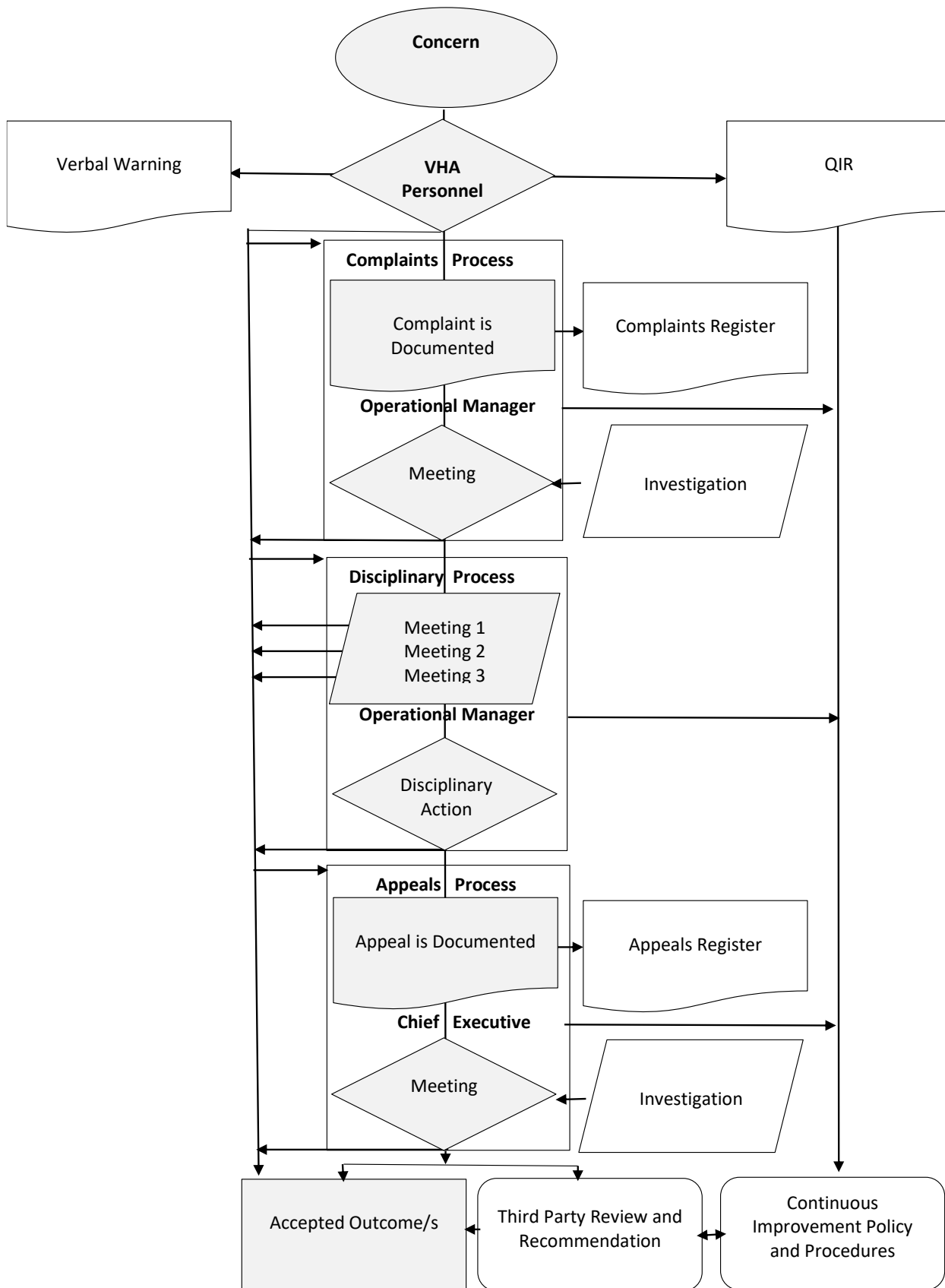
Agreed outcomes from the appeal resolution process can include one or more of the following:

- no further action
- a rectification to a record or report, rectification, reinstatement or reissue as appropriate
- a partial or complete reimbursement or payment of fees and/or costs
- a review, remark or complete or partial reassessment
- enrolment, instatement, reinstatement and/or a compassionate scholarship
- Professional Development of an Independent Contractor, trainer or other staff member
- referral of one or more parties to the appeal to the disciplinary procedure
- referral of the appellant to an external agency for an independent review

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Acknowledgement declaration

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

Signature

Date

Name of Witness

Signature of Witness

Date

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Appendix: Glossary

Appeal: a formal request made by an appellant to reconsider and/or change a previous decision or judgement. Appeals are based on a stakeholder feeling that some factor had not been adequately considered in an initial decision or judgement and that this factor should be taken into account: An equity, procedural, resourcing, competency or capacity issue, for example. Appeals identify potential problems that may lead to complaint. Appeals identify factors that may need to be taken into account in future and are a tool for continuous improvement.

Complaint: in this context complaint is a formal expression of dissatisfaction from a complainant that a stakeholder expectation had not been met: In the advertising, marketing, enrolment, teaching and learning resource or delivery, assessment, certification process, employment process, the handling of personal information and records, and/or in the way they or someone else has been treated, for example. Complaint is a means to identify problems and issues that may need rectification and is a valuable tool for continuous improvement.

Concern: In this context, a concern is a low level of dissatisfaction, important to a stakeholder raising it, but still possible to address informally through explanation or a simple correction at the lowest level. A concern is an important indicator of a potential problem or issue that may escalate to an appeal or complaint.

Discipline: An action to correct a behaviour, remove a risk, deter a repetition of a behaviour and/or reinforce a rule or a code of behaviour. In this context discipline must be justifiable as corrective, rather than punishment. The primary purpose for discipline is to assist a respondent to understand that a performance problem or opportunity for improvement exists.

Dismissal: see also expulsion. The act of ordering or requiring someone to leave their work or course.

Expulsion: see also dismissal. The act of forcing or requiring someone to leave their work or course

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Fair: Free from discrimination, bias or injustice. The learner must be informed of and about, and adequately prepared for, training and/or assessment, provided with the opportunity to achieve the objectives and/or Units of Competency against which they are being trained and assessed, and know how to challenge a decision, and make appeal or complaint against this, if they feel it is appropriate.

Good faith: In this context acting in good faith means a sincere intention to be fair, open, and honest and to protect the rights of the stakeholders involved regardless of the outcome of the interaction.

Natural Justice: Requires fair dealing without bias. Fair dealing means that all parties must be given the opportunity to present their case, be fully informed about allegations and decisions made and have the right to be represented by another person. The no bias rule requires the decision maker to have no personal interest, beyond the scope of their role in the process and be unbiased. If the decision maker cannot meet these requirements they must immediately withdraw from the process. It is used interchangeably with procedural fairness.

Procedural fairness: Also called procedural justice, is concerned with the procedures used by a decision-maker, rather than the actual outcome reached. It works on the premiss that a decision-maker who follows a fair procedure is more likely to reach a fair and correct decision. A procedurally fair process is an inquiry based process, an investigation, following the principles of natural justice, fair dealing without bias, resulting in evidence based decision making. Note that a procedurally fair process protects the legitimate expectations as well as the legal rights of the parties involved.

Staff: a paid worker including any person who carries out work in any capacity for VHA including any VHA employee, operational manager, trainer, assessor or administrator, any contractor or subcontractor or an employee of an approved third-party provider. Note staff are distinguished from other 'workers' as defined under the Work Health and Safety Act, which also includes an apprentice or learner who are only under VHA's duty of care whilst under VHA's direct supervision, and/or on VHA sites under VHA's control.

Stakeholder: Refers to those parties that have an interest in the services, process and outcomes, quality and value of VHA's operation. These include its learners and clients, the employers and industry sectors it services, subject

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matter experts, its regulators and funders, its staff, trainers and contractors and the board and owners.

Support: A wide variety of methods, services, or resources provided to stakeholders to help them achieve an objective. In this context support can be provided to complainants, appellants and/or organisations, trainers and staff and learners facing disciplinary action, in the effort to help them assure natural justice and procedural fairness.

Suspension: Suspension involves the temporary cessation of certain rights of a stakeholder, usually access to people or places, to allow time for the consideration of a complaint which needs to be settled before the stakeholder's future with the organisation can be determined. In this case, a suspension incurs no financial or academic penalty: A suspended employee gets paid and a suspended learner is given training.

Transparency: used in this context implies openness, communication, and accountability. Transparency is operating in such a way that it is easy for others to see what actions are performed.

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