



**Pines Learning**

*think ▶ grow ▶ evolve ▶ relax*

# **2016 Learner Information Handbook**

**Pre-accredited Training  
(ESL, Computers and Pathways to Employment)**

**[www.pineslearning.com.au](http://www.pineslearning.com.au)**



Pines Learning  
1/520 Blackburn Road  
Doncaster East 3109  
Melways Ref: Map 34 D5

Phone: 9842 6726  
Fax: 9841 7757  
Email: [info@pineslearning.com.au](mailto:info@pineslearning.com.au)

Welcome to **Pines Learning**, we are a community based not-for-profit organisation.

**OUR VISION** is a strengthened, empowered and enriched community.

**OUR MISSION** is to provide quality, diverse, lifelong learning opportunities in an encouraging environment.

Pines Learning aims to work with and be accessible to people in the local community, regardless of background, age or gender. The people whom the Centre aims to focus on above all others include:

- People seeking skills development to enhance their career choices
- People who are socially, educationally or economically disadvantaged
- People in need of community participation or engagement
- People who are culturally or linguistically diverse
- People seeking personal growth

This handbook is relevant to the courses offered in the pre-vocational area, which encompasses the following areas:

- English as a Second Language (ESL)
- Computers and Tablets
- Pathways to Employment

All other courses are covered in a separate Learner Handbook.

## **REGISTERED TRAINING ORGANISATION**

**Pines Learning Incorporated** (Registration No 3774) is a Registered Training Organisation delivering Nationally Accredited qualifications.

## **BOARD OF MANAGEMENT**

Pines Learning is run by a voluntary Board of Management comprising a wide range of community members.

Learners are encouraged to become involved in Pines Learning by becoming a member of the Incorporated Association. This allows learners to attend Board of Management Meetings as an observer and also gives the right to vote at the Annual General Meeting. Membership is only \$2 per year.

If you would like to join our Board and learn new and exciting skills that will contribute to your personal growth and help your community, contact the office for further details.

## **COURSES OFFERED AT PINES LEARNING**

Computers and Tablets  
English as a Second Language (ESL)  
Victorian Certificate of Applied Learning (VCAL)  
Vocational Education & Training (VET)  
Health, Fitness and Wellbeing  
Lifestyle, Languages and Crafts  
Return to Work and Job Seeking Skills

## **TERM DATES 2016**

Term 1: 1 February - 24 March  
Term 2: 11 April - 24 June  
Term 3: 11 July - 17 September  
Term 4: 3 October - 20 December

## **OFFICE HOURS**

**School Terms:** Monday – Friday 9:00 am - 4:00 pm

**Term Breaks:** Monday – Thursday 9:30 am - 1:30 pm, except over end of year break.

Messages may be left on message bank after hours.

## **CLASS TIMES AND START DATES**

Class times vary depending on the courses. Refer to your enrolment receipt for class start dates, times and venue. Classes are not normally scheduled on Public Holidays or during school holidays.

## **ENROLMENT AND COURSE FEES**

The pre-accredited training offered at Pines Learning is delivered with Victorian and Commonwealth Government funding. Funded places will only be offered to learners with one of the following citizen or residency status:

- Australian Citizen
- Australian Permanent Resident
- (holder of permanent vis)
- Holder of Special Category Visa
- (sub class 444, New Zealand Citizen)
- East Timorese Asylum seeker, or
- Holder of Temporary Protection Visa

Enrolments can only be processed by completing an Enrolment Form, with payment of fees prior to the commencement of classes, or in accordance with an agreed fee payment plan. Payment of fees can be made by cash, cheque, credit card and EFTPOS, or by phone with credit card.

Please check all times, dates and course information carefully before you enrol. Refunds will only be made in accordance with our Refund Policy. See Policy No. 4 in this handbook.

**Please note that enrolments are not transferable between learners.**

## **COURSE DISCOUNT/CONCESSION**

Learners enrolled in **ESL courses** are entitled to receive the concession rate for second and subsequent enrolments within the same year upon presentation of the relevant concession card. This applies to registered unemployed, pensioners and health card holders. The card must be produced prior to enrolment to claim the concession rate.

## **COURSE MATERIALS**

Some courses require learners to purchase text books, manuals or other materials. You will be notified prior to enrolment if this is the case.

## **REFUNDS / WITHDRAWALS**

Please refer to Policy 4 – Refund of Fees which is included in this Handbook.

## **ADMISSION REQUIREMENTS**

For some pre-accredited courses prospective learners are required to attend an Information Session or interview prior to acceptance into the course. This is to ensure that learners are provided with sufficient information to make a reasoned decision about enrolling, and to ensure that the learner meets the enrolment/funding requirements.

## **LEARNER SUPPORT**

Pines Learning is committed to providing learners with equitable access to quality training services tailored to their needs and the learning outcomes they seek. Please contact the Program Coordinator for more details.

Pines Learning also has access to a range of external services which learners can be referred to for further assistance. Please note that if you use these services it will be at your own expense.

## **CLASSROOM CONDUCT FOR LEARNERS**

Learners must adhere to the Class Conduct Guidelines of the Centre, as attached in the policy section of this handbook. Also see the Disciplinary Policy and Procedures for Learners, the Equal Opportunity and Harassment Information, the Use of Computers Policy and the Complaints and Appeals Policy and Procedure which are all attached.

## **COURSE EVALUATION**

At the end of the course you will be requested to complete an evaluation form. We value your opinion and would like to find out whether the course you enrolled in met your needs. Your evaluation also allows us to constantly improve the quality of our courses. Your responses remain confidential and anonymous.

## **COMPLAINTS AND APPEALS**

Learners have the right to lodge a complaint and to appeal a complaint outcome. For further details see **Policy 29 – Complaints & Appeals Policy for Learners**, provided in the policy and procedure section of this handbook.

## **PRIVACY POLICY**

Pines Learning respects your right to privacy. Information is collected for the purpose of compliance and statistical records and may be used in surveys commissioned by our funding bodies. All personal information is kept in accordance with Privacy legislation and is not used for any other purpose without your consent. Pines Learning's Privacy Policy and Your Privacy Information is attached.

The Privacy Policy does not permit Pines Learning to forward learner telephone numbers to anyone, including trainers. If a trainer needs a learner's telephone number, the trainer must ask the learner for the number or ask reception to contact the learner. Similarly, Pines Learning does not give staff or trainers contact details to learners.

## **PHOTOCOPYING AND PRINTING**

Learners are welcome to use our printing and photocopying facilities for course work. The cost of printing and photocopying is 20¢ per page. Please see reception staff to arrange photocopying but note that your request will be processed when time permits. The Copyright Policy and Intellectual Property Policy are attached.

## **CHILDCARE**

Onsite childcare is available to learners. For further details contact the childcare staff on 9842 6726.

### **Bookings are essential**

**Please note: It is Centre policy that children are not permitted in adult classes or to be left unattended in the Centre.**

## **AUTHORISATION TO ACCESS LEARNER RECORDS**

At the beginning of your course you will be asked to complete a Learning Plan to identify your goals and current skills. At the end of the course you will be required to complete a Learning Review. This confidential information is a requirement of the funding body and is required to be available to the funding body upon request. This information also contributes to the overall course evaluation undertaken by Pines Learning as part of its continuous improvement program. A copy of your Learning Plan and Review is available from the program coordinator upon request and will be provided within seven working days.

Learners wishing to access their own records are required to contact the Course Coordinator directly or complete the “Learner request for records form” available at reception or downloaded from the website. Please allow 10 business days for your request to be processed.

For privacy information please refer to the documents “Your Privacy” and the “Privacy Policy” found in the policy section of this handbook.

## **PARKING / PUBLIC TRANSPORT**

Parking is available at Pines Learning. If the car park is full you may use the Pines Shopping Centre car park. Please note some parking spaces have time restrictions. Unrestricted parking is available on the roof top, accessible through Reynolds Road entry. For further information please contact reception.

# STAFF AT PINES LEARNING

Centre Manager	Kalli Taifalos
VET Manager	Sandra Bowtell
Finance Manager	Terri Williams
Childcare Manager Early Childhood Educator (Diploma)	Anne Kenworthy
VET Coordinator, (Training & Assessment and Pre-Accredited)	Jenny Carson
VET Coordinator (Aged Care & HACCC)	Julie Cranwell
VET Coordinator (Early Childhood Education & Care)	Aarthi Prakash
Community Programs Coordinator	Christine Gray
ESL Coordinator	Sandie Forbes
VCAL Coordinator	Gail Pratley
Information Management Officer	Silvana Cassar
Training Support Officer	Magdalena Christodoulou
Advertising Officer & Assistant to Centre Manager	Kathy Galanis
Flexible Delivery Officer	Christine Dix
Administration Assistant	Bernie Holland
Administration Assistant	Sandra Toal
Administration Assistant	Donna Richards
Early Childhood Educator (Diploma)	Rupal Chandra
Early Childhood Educator (Diploma)	Helen Dusting
Early Childhood Educator (Diploma)	Fiona Porto
Early Childhood Educator (Diploma)	Tanu Guleria
Early Childhood Educator (Cert III)	Monica Rodrigues
Early Childhood Educator (Cert III)	Valentina Vardari
Early Childhood Educator (Bachelor)	Michelle Hughes



# **Policies & Procedures for Learners**



## Table of Contents

LEGISLATION FACT SHEET .....	10
CLASSROOM CONDUCT GUIDELINES.....	11
POLICY No 3: EQUAL OPPORTUNITY.....	12
POLICY No 4: REFUND OF FEES.....	Error! Bookmark not defined.
POLICY No 5: USE OF COMPUTERS.....	20
POLICY No. 6: OCCUPATIONAL HEALTH AND SAFETY POLICY AND PROCEDURE .....	22
POLICY No 7: INTELLECTUAL PROPERTY .....	24
POLICY No 8: COPYRIGHT.....	26
YOUR PRIVACY.....	28
PRIVACY POLICY .....	30
POLICY No.13: STUDENT WELFARE POLICY AND PROCEDURE.....	32
POLICY No.16: COMMITMENT TO AUSTRALIAN DEMOCRACY .....	35
POLICY No. 23: STUDENT FEES AND CHARGES .....	36
POLICY No. 29: COMPLAINTS AND APPEALS POLICY FOR STUDENTS.....	39
Complaint Form.....	42
POLICY No. 31: DISCIPLINARY POLICY AND PROCEDURE FOR STUDENTS .....	44

## LEGISLATION FACT SHEET

As a registered training organisation Pines Learning is required to comply with relevant Commonwealth and State legislation including but not limited to:

- Privacy Act 1988 (Cwth)
- Occupational Health and Safety Act 2004 (Vic)
- Copyright Act 1968 (Cwth)
- Sexual Discrimination Act 1984 (Cwth)
- Racial Discrimination Act 1975 (Cwth)
- Equal Opportunity Act 1995 (Vic)

So how does this affect you? As a course participant you can be assured that the services, policies, procedures, training and assessment of Pines Learning meets the requirements of this legislation.

You also need to be aware that by participating in a course at Pines Learning you also have obligations under this legislation. For example

- Taking photographs or filming other participants or staff without their permission would be viewed as a breach of their privacy. This also includes posting on Face Book and other social media.
- Recording conversations or facilitator presentations without permission would also be viewed as a breach of privacy, and in the case of presentations would contravene Pines Learning's intellectual property rights.
- With regard to the Occupational Health and Safety Act 2004 (Vic), Pines Learning is committed to ensuring that students and staff are safe from injury and risk to health and welfare while on our premises. You must observe safety regulations and wear safety clothing and footwear during classes and work placements which require such precautions. You must also use any safety equipment that the course requires. You may be refused entry to a class or work placement if you are not wearing the appropriate safety clothing and footwear or fail to abide by existing procedures.
- Course participants need to ensure that they do not contravene copyright legislation, by acknowledging all sources of information and as a general guide limiting the amount of material copied to 10% of the total document/book.
- Ensuring by word or deed you do not engage in discriminatory behaviour. Be particularly mindful of jokes, nicknames, generalisations about individuals or groups, political comment which may be offensive to other participants.

## **CLASSROOM CONDUCT GUIDELINES**

**The aim of the classroom conduct guidelines is to ensure a classroom environment that is conducive to learning and align with the Vision and Mission statements of Pines Learning.**

1. Please arrive on time for your classes. Ring Reception if you are not able to attend your class.
2. Children are not permitted to attend classes. Please enquire at Reception regarding our Childcare Centre.
3. Please turn your mobile phone off or to silent during class.
4. Unauthorised access of social media is not permitted during class.
5. Smoking is not allowed within 10 metres of the building.
6. Listen to other students in your class and respect their opinions
7. Some information and opinions given in class may be private and should not be talked about outside the classroom
8. Please help to keep our Centre clean and tidy by putting away equipment, keeping the classroom and Student kitchen clean.
9. Food or drink is not permitted in the computer rooms or when using the laptops.
10. Disruptive and inappropriate behaviour, as deemed by the program coordinator will not be tolerated. In some cases students may be asked to leave the classroom or withdraw from the program. For further information please refer to Policy 31 – Disciplinary Policy and Procedure for Students.
11. Students that come to class under the influence of illicit drugs and/or alcohol will be asked to leave the classroom and then disciplinary action will be taken, please refer to Policy 31 – Disciplinary Policy and Procedure for Students.
12. Comprehensive student information including student policies can be found in the Student Information Handbook supplied to students at the time of enrolment.

## POLICY STATEMENT

Effective Date:	October 2009
Last Amended:	September 2009
Pages:	2
Distributed to:	Board of Management, Staff, Tutors, Students
Document No:	3
Initialed by:	Dianne Lacaze – President, Board

### **POLICY No 3: EQUAL OPPORTUNITY**

#### **Background:**

Pines Learning is committed to ensuring that the working environment is free from discrimination and harassment and where all members of staff and students are treated with dignity, courtesy and respect. Discrimination and harassment will not be tolerated under any circumstances and disciplinary action will be taken against any employee (or agent) who breaches the policy.

#### **Purpose:**

To provide an environment free of discrimination and harassment. Discrimination and harassment occur when a person is discriminated against or harassed in the workplace and in certain areas of public life because of:

- their race, colour, descent or national or ethnic origin, as defined under the Racial Discrimination Act 1975 and Racial and Religious Tolerance Act 2001 (Vic); or
- their sex, marital status, pregnancy as defined under the Sex Discrimination Act 1984; or
- a disability as defined under the Disability Discrimination Act 1992; or
- their age as defined under the Age Discrimination Act 2004; or
- some additional grounds under the Human Rights and Equal Opportunity Act 1986 and Equal Opportunity Act 1985 (Vic).

#### **Applicability:**

This Policy applies to:

- all staff (full-time, part-time, casual, temporary or permanent), tutors, job candidates, students, volunteers and Board members when involved in Pines Learning activities, including off-site and after hours activities;
- all aspects of employment, employment conditions and benefits (such as training, promotion, work allocation, shifts, leave arrangements);
- the treatment by staff of clients and other members of the public encountered in the course of their duties;
- contractors and sub-contractors to the organisation; and
- the provision of services.

## **Policy:**

## **Responsible party**

- |     |  |                             |
|-----|--|-----------------------------|
| i   | In all policies, procedures and practices of Pines Learning, there will be no direct or indirect discrimination relating to sex, gender identity, sexual orientation, marital status, parenthood, carer status, pregnancy, age, race, colour, national origin, disability, impairment, physical features, religious or political affiliation, industrial activity, employment activity, or personal association with someone who has, or is assumed to have, any of these characteristics. | <b>All staff and tutors</b> |
| ii  | Pines Learning will ensure all employment practices and procedures are in accordance with both Federal and Victorian Equal Opportunity legislation.  | <b>CM</b>                   |
| iii | The selection of individuals for employment, promotion or advancement, training and staff development will be on the basis of personal merit in fair and open competition according to the skills, qualifications, knowledge and efficiency relevant to the position involved.   | <b>CM</b>                   |
| iv  | Pines Learning will implement training and awareness raising strategies to ensure that all employees know their rights and responsibilities, and the principles of equity will be communicated to all levels of the organisation and will be integrated into all activities at Pines Learning.   | <b>CM</b>                   |
| v   | Pines Learning will provide an effective procedure for complaints, based on the principles of natural justice and will treat all complaints in a sensitive, fair, timely and confidential manner, guaranteeing protection from any victimisation or reprisals.   | <b>CM</b>                   |
| vi  | The Board of Management will review all new policies, procedures and practices to ensure compliance with Equal Opportunity Legislation.  | <b>Board</b>                |
| vii | It is the responsibility of all staff at Pines Learning to support and encourage conformity with this policy. All employees are encouraged to report behaviour which breaches this policy and to promote appropriate standards of conduct at all times.  | <b>All staff</b>            |

## **HARASSMENT INFORMATION**

### **Intimidatory Harassment**

Intimidatory harassment involves the thoughtless or intentional use of physical or organisational power to coerce a person to perform a particular action or to instil in the person a feeling of humiliation or intimidation.

Examples of this type of behaviour may include:

- offensive, abusive, belittling, threatening or manipulative behaviour;
- offensive physical contact or coercive behaviour which is intended to be derogatory or intimidating;
- insulting or threatening gestures;
- continual unjustified and unnecessary comments about a person's work or capacity for work; and/or
- persistent following or stalking within the workplace, or to and from work. (This may also constitute a criminal act.)

Intimidatory harassment should not be confused with legitimate comment and advice (including relevant negative comment or feedback) from a Principal/Manager or supervisor on work performance or work related behaviour, delivered in a reasonable manner.

## **Bullying**

Workplace bullying can be defined as 'the repeated less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practice'. Bullying comprises the systematic, repeated and deliberate abuse of power. It is inflicted on a less powerful person by a more powerful person or group of people. It includes overt behaviours that intimidate, offend, belittle, disempower, degrade or humiliate a worker, possibly in front of co-workers, visitors to workplaces, clients, students or school community members. Bullying may also appear through subtle means, such as withholding information, isolating a person within the workplace or excluding them from decision-making processes or activities in which they would normally or should be involved.

Examples may include:

- taking advantage of good nature, especially on a regular basis;
- plagiarism, taking undeserved credit, but never accepting responsibility when things go wrong;
- allocating all the unsavoury tasks to one person instead of sharing;
- two-facedness, saying one thing to a person's face, something else (especially the opposite) to others;
- persistent unwillingness to make clear what is required.

## **Harassment On The Grounds Of Age, Industrial Activity, Political Activity, Belief Or Affiliation And Irrelevant Criminal Or Medical Record**

This type of harassment includes any verbal or physical conduct related to age, industrial activity, political activity, belief or affiliation and irrelevant medical or criminal record that is offensive, humiliating, derogatory or which results in the reinforcement of stereotypes.

Examples may include:

- repeated and unnecessary references to a person's age;
- derogatory remarks about a person's union membership;
- derogatory remarks about a person's political activities;
- offensive comments relating to long term medical illness;
- criminal activity; and/or
- offensive verbal or practical jokes based on any of the above categories.

## **Inciting Hatred**

A person, by a public act, must not incite hatred towards, serious contempt for, or severe ridicule of, a person or a group of persons on the ground of:

- the **race** of the person or any member of the group; or
- any **disability** of the person or any member of the group; or
- the **sexual orientation** or **lawful sexual activity** of the person or any member of the group; or
- the **religious belief, activity or affiliation** of the person or any member of the group.

Examples may include:

- repeated and unnecessary references to a person's racial or cultural background;
- derogatory remarks about a person's racial origin, accent or manner of speech;
- staring and other physical behaviour which causes discomfort to a person with a disability;

- derogatory remarks about a person's disability, impairment or appearance;
- teasing or personal questions about an individual's alleged sexual activities;
- offensive verbal or practical jokes based on any of the above categories; and/or
- derogatory remarks about a person's religious practices

## **Victimisation**

Victimisation of any kind towards any employee is completely unacceptable within the State Service. Victimisation of employees is contained in the Code of Conduct - "An employee, when acting in the course of State Service employment, must treat everyone with respect and without harassment, victimisation or discrimination".

All employees should be aware that victimisation of any employee is a breach of the Code of Conduct. The *State Service Act 2000* also states that victimisation of an employee who has reported an alleged breach of the Code of Conduct is not permitted.

Victimisation is considered to have taken place where a person subjects, or threatens to subject, another person or an associate of that other person to any detriment.

A person must not victimise another person because that other person:

- made, or intends to make, a complaint under the *Anti-Discrimination Act 1998*; or
- gave, or intends to give, evidence or information in connection with any proceedings under the *Anti-Discrimination Act 1998*; or
- alleged, or intends to allege, that any person has committed an act which would amount to a contravention of the *Anti-Discrimination Act 1998*; or
- refused or intends to refuse to do anything that would amount to a contravention of the *Anti-Discrimination Act 1998*; or
- has done anything in relation to any person under or by reference to the *Anti-Discrimination Act 1998*.

## **Sexual Harassment**

Sexual harassment is a form of discrimination and includes:

- unwelcome physical sexual conduct; or
- verbal or non-verbal communication in the workplace of a sexual nature based on the characteristics of gender, marital or parental status, pregnancy, breastfeeding or family responsibilities, that is deliberate, unwelcome, uninvited, unreciprocated and usually repeated.

Examples of this type of behaviour may include:

- physical contact against an employee's will such as touching, patting, pinching, deliberate pushing against a person, kissing or embracing;
- physical abuse, including rape;
- verbal comments such as innuendo, smutty jokes, suggestive comments, persistent unwelcome social invitations, intrusive questions about a person's sex or private life and requests for sexual favours;
- non verbal actions such as leers, displays of sexually explicit material, offensive body or hand movements, suggestive letters or drawings, derogatory or offensive material sent through the electronic mail system or other computer systems and indecent exposure;
- belittling jokes or comments based on sex role stereotypes - implying that a woman cannot perform any practical or technical task because she is a woman or that a man

who performs household tasks or provides care to his children has something wrong with him; and/or

- behaviour which insists that gender stereotypes be maintained and exercised in the workplace, which promotes gender divisions in task or work allocation, or which is aimed at restricting access to career roles, educational opportunities and responsibilities on the basis of gender.

### **Signs, Notices Or Advertising Material And Workplace Discrimination And Harassment**

Employees must not publish or display, or cause or permit the publication and display of any material that promotes and expresses, or depicts discrimination which the recipient(s) find offensive, humiliating, intimidating, insulting or ridiculing. This applies to the circulation of offensive material.

In order to fit the categories of discrimination and harassment found in relevant legislation, this material could be of: a sexual nature; related to race; age; sexual orientation; lawful sexual activity; gender; marital status; pregnancy; breastfeeding; parental status; family responsibilities; disability; industrial activity; political belief or affiliation; religious belief or affiliation; religious activity; irrelevant criminal record; irrelevant medical record. However, material which does not fit into these categories but which others find offensive also should not be published or displayed.

### **Electronic Systems And Workplace Discrimination And Harassment**

In its Managing Workplace Diversity policy, the Department commits itself to providing a workplace free of harassment. One possible form of harassment is material, sent through the e-mail system, which the recipient(s) find offensive, humiliating, intimidating, insulting or ridiculing. This applies equally to other forms of electronic services such as downloading, printing and/or circulating offensive material from the World Wide Web.

In order to fit the categories of harassment found in relevant legislation, this material could be of: a sexual nature; related to race; age; sexual orientation; lawful sexual activity; gender; marital status; pregnancy; breastfeeding; parental status; family responsibilities; disability; industrial activity; political belief or affiliation; religious belief or affiliation; religious activity; irrelevant criminal record; irrelevant medical record. However, material which does not fit into these categories but which others find offensive also has no place on workplace e-mail and computer systems.

All staff members must ensure that they do not distribute such material in the workplace through e-mail or any other means. Staff members who receive or view offensive material are reminded that they can access the complaint process as set out in the Complaint & Appeal Policy and Procedures (For Staff and Tutors) in the Organisational Policies Manual.

All employees should become familiar with Policy no 5 - Use of Computers. This policy outlines staff acceptable use in relation to the Pines Learning information and computing resources. Acceptable use deals with personal conduct relating to:

- System security;
- Legal requirements;
- Ethical use of Departmental resources; and
- Standards of personal interaction.



## Options Available If You Experience Workplace Harassment

A range of options is listed below. The options are not necessarily sequential and a complainant may change the course of action at any stage.

<b>Do Nothing</b>	<b>Contact Respondent</b>	<b>Seek Information or Support</b>	<b>Make a written Complaint</b>
<p>Ignore unacceptable behaviour, but you must remember:</p> <ul style="list-style-type: none"> <li>- it may be repeated or happen again;</li> <li>- to ask for strategies</li> <li>- to take control if it recurs; and</li> <li>- seek help to learn empowering strategies.</li> </ul>	<p>Complainant can:</p> <ul style="list-style-type: none"> <li>- Speak to respondent</li> <li>- Write a note to respondent, but you must remember to:</li> <li>- be assertive;</li> <li>- state what behaviour you find unacceptable; and</li> <li>- request clearly that the unacceptable behaviour must stop.</li> </ul>	<p>Resources available:</p> <ul style="list-style-type: none"> <li>- Immediate Supervisor</li> <li>- Tutor</li> <li>- Co-ordinator/Manager</li> <li>- Anti-Discrimination Commissioner;</li> <li>- Human Rights and Equal Opportunity Commission;</li> <li>- State Service Commissioner;</li> <li>- Union;</li> <li>- Support Services (eg. Sexual Assault Referral Centre);</li> <li>- Ombudsman; or</li> <li>- Lawyer.</li> </ul>	<p>Complaint may go to:</p> <ul style="list-style-type: none"> <li>- Centre Manager or Supervisor;</li> <li>- State Service Commissioner;</li> <li>- Anti-Discrimination Commissioner;</li> <li>- Human Rights and Equal Opportunity Commission; or</li> <li>- Union.</li> </ul>



## POLICY STATEMENT

Effective Date:	January 2016
Last Amended:	August 2015
Pages:	2
Distributed to:	Prospective and current learners, Staff, Board of Management
Document No:	4
Initialled by:	Nessa Pastoors – President, Board

### **POLICY No 4: Refund of Fees**

#### **Background:**

This policy is designed to ensure that the refund of course fees is in line with the principles of fair trading. Pines Learning is committed to a fair and transparent processing of refunds.

#### **Purpose:**

1. To outline circumstances when a full or partial refund is due.
2. To ensure prospective learners are aware of the Refund of Fees policy prior to enrolment.

#### **Applicability:**

This policy applies to all learners enrolling and undertaking courses at Pines Learning. The policy outlines guidelines for staff and learners when determining if a refund is due and the amount due. Refunds may be provided to learners, their employers or any other agency which has paid the course fee. The Refund of Fees Policy is published on the Pines Learning website and included in the Learner Handbook. On signing the enrolment form learners are agreeing that they have sighted and agreed to the contents of the Learner Handbook including the Refund of Fees policy.

#### **Related Policies:**

**Policy 23- Learner fees and charges policy**

#### **Policy :**

#### **Responsible party**

##### **1. Course Withdrawals / Cancellations**

**Reception Staff**

- i All learners not completing courses are required to submit a “Course Withdrawal Form/Refund Request” whether seeking a refund or not. These are available at reception.
- ii Refunds will be issued in full if a course is cancelled by Pines Learning prior to the scheduled commencement date.
- iii In the unlikely event that Pines Learning cancels a course after commencement, a pro rata refund for the remainder of the course will be provided. Any incidental fees for goods, services and materials that have not been used prior to the cancellation date will also be refunded.

In the event of accredited courses, where possible, learners will be referred to alternative organisations to allow for completion of the course.

- iv All requests for refunds must be lodged before the end of the course.

##### **2. Accredited Courses**

**Course Coordinators**

- i A non-refundable administration cost of \$150 will be incurred if learners enroll in a course and then withdraw prior to the course commencement.
- ii Where a learner withdraws from a course by completing the withdrawal form, within the first 4 weeks of the course commencement, a pro-rata refund minus the administration cost of \$150 will be provided.
- iii If the course has progressed further than 4 weeks, no refund will be due unless a Medical Certificate, which indicates incapacity to undertake the course, is provided. In this instance a refund will be calculated as per point 2ii.
- iv In the event that a learner withdraws, cancels or transfers prior to the completion of their qualification, a Statement of Attainment will be produced for the units deemed "Competent" at no charge providing the learner has paid in full for the tuition related to these units.

### **3. All other courses**

**Reception Staff**

- i A completed "Course Withdrawal Form/Refund Request" needs to be submitted prior to commencement of the course for a refund to be provided. An administrative charge of 20% of the course fees will be retained by Pines Learning.
- ii If a course has already commenced no refund will be due unless a Medical Certificate, which indicates incapacity to undertake the remainder of the course, is provided. In this instance a pro-rata refund will be calculated with an administrative charge of 20% of the course fees to be retained by Pines Learning.
- iii Participants are advised to seek medical advice from their health care professional before enrolling in courses since pre-existing medical conditions impacting on course participation will not be taken into consideration for refunds.
- iv Learners may transfer to another course of equal cost (or more on payment of difference) in the same term, or semester for a semester long course, depending on availability. All such transfers are subject to conditions of the Refund of Fees Policy. Deferment from one term or semester to the next is not possible unless the Centre has been forced to close due to an unforeseen event (refer to Policy no. 2: Centre closure due to unforeseen events).

### **4. Exceptions**

**Course  
Coordinator**

- i Instances of severe illness or exceptional circumstance will be assessed on a case by case basis.
- ii A learner withdrawing from a course, the fee for which is being paid using an installment plan, will be required to pay the remaining pro-rata cost of the course, this balance being payable on receipt of an invoice from the Centre.
- iii A refund will not be issued if a learner is asked to leave a course by Pines Learning for not abiding by any policies listed in the Learner Handbook, and accepted at the time of enrolment.

## POLICY STATEMENT

Effective Date:	January 2010
Last Amended:	December 2009
Pages:	2
Distributed to:	All staff, tutors, volunteers, students and U3A
Document No:	5
Initialed by:	Dianne Lacaze – President, Board

### POLICY No 5: USE OF COMPUTERS

#### **Background:**

Information Technology is an integral part of Pines Learning in both administration and training. Guidelines are required for the appropriate use of Pines Learning’s computers and computer system by staff, tutors, students and others.

#### **Purpose:**

3. To ensure all computer users at Pines Learning are aware of the guidelines for the use of computers at the Centre.
4. To outline actions required if these guidelines are breached.

#### **Applicability:**

This Policy applies to all personnel, including staff, tutors, volunteers, contractors, visitors and students.

#### **Policy:**

#### **Responsible party**

##### **1. Access to computers**

**Centre  
Manager**

- i Students will be given appropriate access to computers if this is required for their course.
- ii Staff and tutors will be given access to computers in order to carry out their duties as determined by their line manager.
- iii No other persons will be given access to computers unless specifically authorized by the Centre Manager.
- iv Computers are not to be used for personal or private purposes. Users are not to store personal files or data on the Pines Learning computer system.
- v. Food and drink are not to be taken near the computers.

##### **2. Network Responsibilities and Online Access**

**System  
Administrator**

- i. A Network Administrator will be appointed to maintain the Centre’s computer system.
- ii The Network Administrator will regularly access and review files and communications in order to maintain system integrity and ensure that the system is being used appropriately.
- iii Transmission over the internet of any material in violation of any

state, federal or international law and/or regulation is forbidden. This includes copyrighted material, threatening, harassing or obscene material, pornographic material, proprietary material, or material protected by trade secret.

- iv Downloading from the internet of inappropriate or illegal information is not permitted.
- v Unauthorized downloading of information is not permitted.
- vi Security issues and problems must be brought to the immediate attention of the Systems Administrator.

**3. Examples of inappropriate and illegal activities.** Note, this list is not comprehensive.

- i Sending or displaying offensive messages or pictures.
- ii Harassing, insulting or attacking others using online resources.
- iii Damaging computers, computer systems or computer networks; for example, by the creation, introduction or spreading of computer viruses, physically abusing hardware, altering source codes or software settings, etc.
- iv Violating copyright laws. The legal rights of software producers and network providers, and copyright and license agreements must be honored. For example, downloading copyrighted games can result in legal proceedings.
- v Using other users' passwords; trespassing in other users' folders or files.
- vi Employing Pines Learning computers or computer network for commercial purposes or for political activity.
- vii Connecting external networks and/or unauthorized devices which could result in the network being disrupted.

**4. Sanctions to be taken for breaches of policy.**

**Centre  
Manager**

- i The following sanctions may be applied for breach of policy:
  - withdrawal of access to computers and/or computer network
  - withdrawal from class
  - recall of equipment provided by Pines Learning.
- ii For serious or repeated breaches, sanctions can include:
  - suspension
  - expulsion
  - referral to law enforcement agency.



## POLICY STATEMENT

Effective Date:	February 2010
Last Amended:	December 2009
Pages:	2
Distributed to:	BOM, staff, tutors, students and volunteers
Document No:	6
Initialled by:	Dianne Lacaze – President, Board

### **POLICY No. 6: OCCUPATIONAL HEALTH AND SAFETY POLICY AND PROCEDURE**

#### **Background:**

Pines Learning recognises its duties and responsibilities for the health, safety and welfare of employees, volunteers, contractors, service users and members of the general public. The intent of this policy is to ensure that the risks inherent in the operation of Pines Learning are effectively and pro-actively managed. The strategy on which this policy is based is that of risk management which is the process of managing the resources and activities of an organisation in order to minimise loss.

#### **Purpose:**

5. To ensure management and staff understand their responsibilities under the Occupational Health and Safety Act 2004.
6. To ensure effective and appropriate OH&S systems and procedures are adopted.
7. To promote a culture of OH&S awareness.

#### **Applicability:**

This Policy applies to:

- Board members, staff, tutors, students, volunteers, service users
- Contractors and sub-contractors to the organisation

#### **Policy:**

#### **Responsible party**

##### **1. Management Responsibilities**

**Board, CM and OHS officer(s)**

- i Management recognises its obligation to provide a safe and healthy working environment with adequate welfare facilities.
- ii Management will ensure protective measures are to be taken as far as practicable to avoid injury to persons (general public and employees) and damage to Pines Learning property.
- iii Management will co-ordinate all efforts towards achieving risk minimisation and will provide leadership in this area.
- iv Pines Learning will provide such information, instruction, training, and supervision to its employees that will ensure that they can work in a manner that is safe to themselves and / or others.
- v Appropriate channels of consultation will be established and maintained with staff on Occupational Health & Safety matters through the Board of Management.
- vi All Pines Learning property and assets will be managed in a safe, secure manner in a well maintained environment. At all times all reasonable measures will be taken to avoid or minimise any risk or loss or damage to Pines Learning property and assets.
- vii Management will develop, and periodically revise Occupational Health & Safety procedures and specific occupational health and safety risk management programs and strategies.

- viii Management will provide adequate facilities and amenities for health and well-being of employees and service users e.g. first aid, cooling, heating, workplace lighting, seating, cleanliness, space etc.
- x Management will maintain a record of occupational health and safety training undertaken by staff at Pines Learning. This will be reviewed periodically by the Board.
- xi Management will ensure that performance appraisals for all staff will include performance indicators and measures on occupational health and safety awareness in accordance with the regulations and related codes of practice and standards of the Occupational Health and Safety Act 2004.
- xii Management will provide rehabilitation programs in accordance with the relevant regulations and related codes of practice and standards of the Occupational Health and Safety Act 2004.

## **2. Employee and Contractor Responsibilities**

**CM, Staff,  
Tutors**

- i All employees and contractors will exercise individual initiative in identifying and eliminating unsafe work conditions and procedures and must immediately report to management potential risks that they are unable to personally eliminate.
- ii Every employee and contractor is to ensure that his/her work is carried out safely and efficiently. Safe working procedures must be followed at all times. When safety equipment or protective clothing is provided it must be kept in good condition and correctly maintained.
- iii Staff and contractors must not deliberately or recklessly interfere with or misuse equipment that is provided. Staff and contractors must not intentionally or unintentionally put at risk the health and safety of others
- vi Pines Learning staff and contractors will make occupational health and safety a priority while undertaking their day to day activities.

## **3. Ongoing Assessments**

**Board, CM,  
Staff, OHS  
Officer(s)**

- i All Pines Learning operations will be conducted in a manner that allows management of any medical, fire or security emergency, or other type of emergency, through the development and ongoing review of appropriate plans.
- ii Active and ongoing assessment and review of all operations and work procedures, work places and premises will be undertaken to assess and minimise risk.
- iii Workplace safety inspections will be conducted at regular scheduled intervals and appropriate Workcare notices will be displayed in the centre.
- vi Accident investigations will be conducted following any reported incidents that have been recorded in the Workcare Accident Book (refer to Incident Policy).
- v Occupational Health and Safety will be an agenda item at all staff and Board of Management meetings.



## POLICY STATEMENT

Effective Date:	January 2010
Last Amended:	December 2009
Pages:	3
Distributed to:	Members of Board, all staff, tutors, volunteers, students
Document No:	7
Initialed by:	Dianne Lacaze – President, Board

### **POLICY No 7: INTELLECTUAL PROPERTY**

#### **Background:**

In the same way as a person or organisation owns furniture, computers, cars or books (real property), they can own the expression or form of an idea – inventions, logos, trademarks, new or different processes, books, computer programs, training courses, etc. This is called Intellectual Property, or IP. As the owner, a person or organisation has rights over their Intellectual Property – they can sell it, change it, give it away, destroy it, and control who has access to it or who can use it. In Australia, these rights are guaranteed by a range of laws, including the Patents Act 1990, Copyright Act 1968, Trade Marks Act 1995, and Designs Act 1906.

With the exception of copyright (and circuit layout rights), which are automatic, an individual or organisation must take formal steps to register IP and obtain the legal rights of ownership. Otherwise, they will have to rely on common law to prove ownership and prior use .

#### **Purpose:**

To define the policy with regard to intellectual property generated within the Centre.

#### **Applicability:**

This Policy applies to members of the Board of Management, staff, tutors, volunteers and students.

This Policy should be read in conjunction with Policy no. 8 – Copyright

#### **Reference:**

The website of IP Australia provides detailed information on IP law in Australia:  
<http://www.ipaustralia.gov.au/>

#### **Definitions:**

*Intellectual Property:* Intellectual Property includes any proprietary right that arises under, or could be obtained as follows:

- Patents
- Information which is confidential;
- Copyright vesting by virtue of the Copyright Act 1968 in literary works, including computer programs, dramatic works, musical works, artistic works, films, sound recordings, broadcasts, published editions and certain types of performances and non-copyright protection for certain performances;
- Registered Trademarks and unregistered trademarks used or intended for use in business;
- Designs registered under the Designs Act 1906 and subsequent amendments or re-enactments;



- Trade secrets; and
- Other rights resulting from intellectual activity in the industrial, commercial, scientific, literary and artistic fields

*Originator:* Any Board member, staff member, tutor, volunteer or visitor who is an author, creator or inventor of any form of Intellectual Property, whether or not in conjunction with any other persons.

**Policy:**

**Responsible party**

**1. Ownership of Intellectual property**

**Centre  
Manager**

- i. Except where an agreement to the contrary has been negotiated between the Centre and an Originator, the Centre owns Intellectual Property created by:
  - A staff member, tutor or volunteer in the course of employment including Intellectual Property arising from design, scholarship, teaching, administration or any other activity within the course of employment that takes place within the Centre or utilising Centre resources. In particular, the Centre owns copyright in any commissioned material and in any course materials and any general materials created by staff, tutors and volunteers in the course of their employment with the Centre;
  - Any other person who is requested by the Centre to participate in a project where:
    - generation of the property relies on pre-existing Intellectual Property owned by the Centre;
    - or the property forms part of Intellectual Property generated by a team of staff member(s) and/or tutors(s) and/or any other person(s);
    - or the property has been generated as the result of project-specific funding provided by the Centre to the other person.
- ii. When the Centre becomes involved in projects with other parties or other parties sponsor projects within the Centre by providing funding, all rights to Intellectual Property generated from such projects and which would otherwise by virtue of this Policy be owned by the Centre shall be determined by a written agreement between the Centre and the third party or sponsor or, in the absence of such agreement, by this Policy.

**2. Protection of IP**

Centre management will identify Centre-owned IP and pro-actively manage its protection by, for example,

- registering designs
- inserting copyright notices in appropriate documents
- maintaining confidentiality where appropriate
- informing staff, tutors and volunteers of their responsibilities.

**3. Use of Intellectual Property**

Board members, staff, tutors, volunteers and students are not to divulge any Centre-owned IP to third parties nor give permission to third parties to use Centre-owned IP without formal approval.

**Staff,  
tutors,  
volunteers  
and  
students**



## POLICY STATEMENT

Effective Date:	January 2010
Last Amended:	December 2009
Pages:	2
Distributed to:	Members of Board, all staff, tutors, volunteers, students
Document No:	8
Initialed by:	Dianne Lacaze – President, Board

### **POLICY No 8: COPYRIGHT**

#### **Background:**

Copyright in Australia is governed by the Australian *Copyright Act 1968* which gives the owner of copyright in literary, dramatic, musical and artistic works and some other types of material including sound recordings, films and broadcasts, exclusive rights to use these works in certain ways.

There is no need to apply for copyright in Australia, and there is no system of registration in Australia. Nor are there any forms to fill in, or fees to be paid. Work does not have to be published to put a copyright notice on it. Copyright protection is free and automatic, from the time a work is first written down or recorded in some way.

The types of uses of copyright material include the right to reproduce, or copy, a work, to publish, to perform in public and to communicate the work to the public via electronic means - including making it available online or sending via email. This means that permission needs to be obtained from the owner of copyright before anyone can do any of these.

#### **Purpose:**

To define the policy with regard to the copyrighting and use of copyright material.

#### **Applicability:**

This Policy applies to members of the Board of Management, staff, tutors, volunteers, students and the general public.

This Policy should be read in conjunction with Policy no. 7 – Intellectual Property

#### **Reference:**

The website of the Australian Copyright Council provides detailed information on copyright law in Australia: <http://www.copyright.org.au/>

The following Fact Sheets are particularly relevant:

1. An introduction to copyright in Australia
2. Educational institutions: introduction to copyright

#### **Policy:**

#### **Responsible party**

##### **1. Ownership of copyright material**

**Centre  
Manager**

The Pines Learning Intellectual Property policy governs the ownership of material created through the Centre. Under the policy copyright material created by Board members, staff, tutors and volunteers during the

course of their service or employment is owned by the Centre.

## **2. Use of Centre-owned copyright material**

**Staff and  
tutors**

- i. Where the Centre owns copyright in a piece of work, staff, tutors and volunteers will be granted a non-exclusive, royalty-free, non-transferable licence to use the work for teaching, scholarship or administration purposes of the Centre, subject to the following:
  - they do everything possible to assist the Centre in protecting or enforcing the Centre's rights and commercial exploitation of such work and take no actions which jeopardise the Centre's rights;
  - they not compete with the Centre in any commercialisation of the Intellectual Property associated with the work;
  - they comply with any other conditions imposed on the conduct of the activity giving rise to the generation of such copyright material; and
  - they cease to have the above mentioned licence to use the work upon leaving the employ of, or ceasing to be a visitor of the Centre.
- ii. Staff, tutors, volunteers and students are not to provide Centre-owned copyright material to third parties without formal approval from the Centre Manager.

## **3. Use of third party-owned copyright material**

The Copyright Act contains two statutory licences, which allow educational institutions to make limited use of copyright material for educational purposes without having to obtain permission from the owner. These are Part VB, which covers the use of print and graphic material and Part VA, which covers television and radio broadcasts.

Guidelines are provided in the Fact Sheet "Educational institutions: introduction to copyright" on the Australian Copyright Council website and staff and tutors should become familiar with these.

**Staff and  
tutors**

## YOUR PRIVACY

**PINES LEARNING** has a commitment to protect the privacy of its employees, participants, and childcare users. It is our aim to use information only in your interests, and to your advantage. The Privacy of personal information, including health information, is protected by legislation. **Pines Learning** will be accountable under the 'Information Privacy Act 2000' and the 'Health Records Act 2001' if this commitment is not demonstrated in practice.

### What information does Pines Learning collect?

- **Pines Learning** currently collects/holds **personal information** in relation to its employees, committee of management members, volunteers, centre users/participants and childcare users.
- **Pines Learning** currently collects/holds **health information** in relation to its employees, volunteers, childcare users and participants enrolled in physical conditioning classes (ie. Strong People Stay Young).

### How is your information used?

- **Pines Learning** only collects personal or health information that is required to provide centre users/participants and childcare users with services that meet their needs.
- **Pines Learning's** contractual obligations to various funding bodies requires us to collect some information in relation to participants, students, centre and childcare users. Statistical data may be used by these funding bodies to undertake surveys. This information includes, but is not limited to: Home address, sex, date of birth, nationality, personal background, employment category, health issues and educational qualifications
- **Pines Learning** collects personal and health information in relation to its employees, committee of management and volunteers in order to meet workplace, health and safety and insurance obligations.

### Will my details be disclosed to other parties?

**Pines Learning** will not disclose your information unless you have consented to us doing so or unless we are required to do so by law.

### How do you protect my information?

**Pines Learning** has taken measures to protect your information from unauthorised access, loss, misuse, disclosure or alteration.

### How is my information updated?

Pines Learning strives to maintain up to date and accurate information but we rely on people to tell us when their personal details have changed. Should you believe that any of the personal information held by us is incomplete or inaccurate, please notify us immediately so that we may update that information.

### Can I access the information Pines Learning holds about me?

You may request a copy of your personal information held by us at any time.

### **Can I complain about a privacy breach?**

You can telephone the Pines Learning Centre Manager on 9842 6726 or you can put your complaint in writing and forward it to :

*Pines Learning  
1/520 Blackburn Road  
Doncaster East 3109*

Or by email to:

[info@pineslearning.com.au](mailto:info@pineslearning.com.au)

If you are not completely satisfied with Pines Learning's response to a complaint you can refer it to:

*The Privacy Commissioner  
Privacy Victoria  
GPO Box 5057  
Melbourne, 3001*

Or by email to:

[enquiries@privacy.vic.gov.au](mailto:enquiries@privacy.vic.gov.au)

Name of your Centre: Pines Learning  
Effective Date: May, 2009  
Pages: 2  
Distributed to: COM, Staff, Tutors and Students  
Initialed by: Dianne Lacaze – President, COM



## Pines Learning

### PRIVACY POLICY

#### Introduction

This document sets out the policy of **Pines Learning** in relation to the collection/handling of personal/health information.

#### Purpose

To ensure that Pines Learning complies with the Information Privacy Act 2000 and the Health Records Act 2001 and to familiarise centre users/participants and childcare users of the principles of this privacy legislation.

#### Policy

#### Statement of Commitment:

**Pines Learning** respects the privacy of all individuals. Furthermore, **Pines Learning** is committed to ensuring that all staff, committee of management and others involved in the organization comply at all times with their obligations under the Information Privacy Act 2000 and the Health Records Act 2001. The aforementioned Acts are based on Privacy Principles that can be briefly summarised as:

Personal information (and/or health information) should be used for the purpose for which it was collected and safeguarded from misuse

#### Personal/Health Information:

- Pines Learning currently collects/holds personal information in relation to its employees, committee of management members, volunteers, centre users/participants and childcare users.
- Pines Learning only collects personal or health information that is required to provide centre users/participants and childcare users with services that meet their needs.
- Pines Learning's contractual obligations to various funding bodies requires the collection of information in relation to participants/students/centre and childcare users. This information includes, but is not limited to :
  - Home address, gender, date of birth, nationality, personal background, employment category health issues and educational qualifications
- Pines Learning collects personal and health information in relation to its employees, committee of management, volunteers and participants in order to meet workplace, health and safety and insurance obligations.

#### Personal/Health Information Responsibilities:

- Pines Learning will collect information only if necessary for an identified lawful purpose
- Pines Learning will ensure that the person involved knows for what purpose the information is collected

- Pines Learning will use and disclose information only for the purpose for which it was collected
- If the information is to be used or disclosed for other purposes, PINES LEARNING will seek the person's consent prior to disclosure
- Pines Learning will not disclose information unless required to do so by a legal authority
- Pines Learning will endeavour to ensure that the information is accurate before using it
- Pines Learning will implement security safeguards and disposal procedures to reduce risks of unauthorised access, use, modification and disclosure
- PINES LEARNING Will Remove Personal Information From Our System When It Is No Longer Required, Unless bound by archiving guidelines
- Pines Learning will ensure that the person can exercise their right to have access to, and seek to correct, information held by the centre
- Pines Learning will provide avenues for the person to find out more about how their information is handled, and complaint procedure if they believe their information has not been handled in accordance with the relevant privacy principles



## POLICY STATEMENT

Effective Date:	June 2012
Last Amended:	June 2012
Pages:	3
Distributed to:	BOM, staff, tutors, volunteers, parents/legal guardians and students
Document No:	13
Initialed by:	Julie White – President, Board

### **POLICY No.13: STUDENT WELFARE POLICY AND PROCEDURE**

#### **Background:**

Pines Learning recognises its duties and responsibilities for the health, safety and welfare of the students, staff, volunteers and members of the wider community that attend the centre. The Centre promotes lifelong learning and helps build a strong community of active, involved, connected and healthy citizens. The centre also provides opportunities for students with specialised needs to access a range of courses.

#### **Purpose:**

8. To ensure a sustainable framework for delivering effective training and education in a supportive and encouraging environment.
9. To equip students with the capacity to improve themselves, grow in confidence, self-esteem and actively contribute towards the community.
10. To build self-confidence and mutual respect amongst our students and teach them to show compassion and understanding for all members of Pines Learning as well as to the wider Australian community.
11. To ensure staff, tutors, volunteers, parents/legal guardians and Board members understand the policies and procedures in relation to student welfare issues through the provision of ongoing documented professional development programs.
12. To provide staff, tutors, volunteers and Board members with ongoing review procedures, which contribute to the effective operation and implementation of student welfare at Pines Learning. This information is collected and presented to the Board of Management on a regular basis.

#### **Applicability:**

This Policy applies to all staff, tutors, volunteers, students, parents/legal guardians and Board members.

#### **Policy:**

#### **Responsible party**

##### **1. Pines Learning Safety Requirements**

- i All staff at Pines Learning will have a current Working with Children Check or a Victorian Institute of Teaching registration (VIT). This is specified in the position description under Mandatory Selection Criteria for all staff. Please refer to the list of personnel at The Pines with a Working with Children Check.
- ii Only authorised personnel will be issued with a fob to the building. This includes all staff, permanent and casual. Each Manager /Coordinator responsible for employing staff will authorise fob issue. Manningham City Council is responsible for fob issue for their staff and for authorised contractors undertaking building maintenance. A register detailing fob number and user is kept at Pines Learning and at Manningham City Council. All fobs will be collected and reissued to

**Centre Manager  
/ Relevant  
Coordinators/  
Managers**



- contract staff annually. Permanent staff will surrender their fob on the conclusion of their employment at Pines Learning.
- iii Emergency evacuation plans for the centre will be displayed throughout the premises and emergency evacuations will be conducted once a term. Emergency evacuation reports will be provided to the Board of Management.
  - iv All emergency procedures will be documented in the Pines Learning Emergency Management Plan and stored in the “Workplace Emergency Procedure” folder. All new staff will be required to participate in an induction program provided by the OHS representative. All staff will be provided with a new staff induction kit on employment. This provides essential information in relation to OH&S issues.
  - v All tutors will undertake the “Tutor Emergency Checklist” at the beginning of the first class with students. **Tutors**
  - vi All tutors will refer to the “Tutor Responsibilities for Evacuating Building” document stored in the class list folder. **Tutors**
  - vii For student safety, classes will not be scheduled for more than eight hours in any one day and not outside the hours of 08.00 hrs to 22.00 hrs. Exemption from this is applied to students undertaking industry placement in the following courses:  
 Diploma in Children’s Services (CHC50908)  
 Certificate III in Children’s Services (CHC30708)  
 Certificate III in Aged Care Work (CHC30208)  
 These students on occasion might be required to commence a shift from 07.00 hrs as this is an industry requirement but will not be required to work longer than an eight hour shift.
  - viii Security patrols of the building will be conducted twice each evening at various times.
  - ix The exterior of the building will be constantly under CCTV surveillance. Participants will be advised via appropriate signage.
  - x New staff and Board of Management members will be provided with induction kits that include all relevant policies including student welfare. **Relevant Managers/Coordinators**
  - xi On employment and thereafter annually all teaching staff will be advised of the following policies through the Tutor Handbook: **Relevant Coordinators**
    - Code of Conduct for sessional tutors
    - Complaints & Appeals Policy And Procedure – For Staff and Tutors
    - Discipline and Termination Policy for Tutors
    - Policy 3 – Equal Opportunity
    - Harassment Information
    - Privacy Policy
    - Confidentiality Policy
    - Policy 6 - Occupational Health and Safety Policy and Procedure
    - Policy 25: - Record of Accidents, Injury and Incidents
    - Accident/Injury/Incident Report
    - Policy 5- Use of Computers
    - Policy 7 - Intellectual Property
    - Policy 8 – Copyright
    - Disability Action Plan (for students with special needs)
    - Policy 13 - Student Welfare Policy and Procedure
    - Policy 16 – Commitment to Australian Democracy

In addition there are specific policies in the tutor handbook pertaining to specific program areas.

- xii Prior to enrolment students will be advised of the following policies through the Student Handbook and the Pines Learning website ([www.pineslearning.com.au](http://www.pineslearning.com.au)):
- Policy 6 - Occupational Health and Safety Policy and Procedure
  - Class room conduct
  - Policy 23 – Student Fees and Charges
  - Policy 4 – Refund Policy
  - Policy 5- Use of Computers
  - Policy 7. Intellectual Property
  - Policy 8 – Copyright
  - Privacy Policy
  - Policy 3 – Equal Opportunity
  - Harassment Information
  - Complaints & Appeals Policy And Procedure – For Students
  - Disciplinary Policy And Procedures for Students
  - Policy 13 - Student Welfare Policy and Procedure
  - Policy 16 – Commitment to Australian Democracy

**Relevant  
Coordinators  
and/or  
Reception Staff**

## **2 Specific program area requirements**

- i In addition to the Student Handbook, VCAL students and their parents/legal guardians will also receive the VCAL Enrolment Information Pack prior to enrolment. This includes policies/information specific to the VCAL students:
- **Student Driver Policy 16-20 year olds**
  - **VCAL Medical Management Policy**
  - **Supervision of VCAL Students Policy**
- ii In addition to the Student Handbook, VET students will receive a Training Manual, at orientation, detailing specific information in regard to their course.

**VCAL Manager**

**VET Manager**

## POLICY STATEMENT

Effective Date:	April 2010
Last Amended:	April 2010
Pages:	1
Distributed to:	BOM, staff, tutors, volunteers, parents/legal guardians and students
Document No:	16
Initialed by:	John Rankin – President, Board

### **POLICY No.16: COMMITMENT TO AUSTRALIAN DEMOCRACY**

#### **Purpose:**

To ensure all staff, tutors, volunteers, students, parents/legal guardians and Board members understand and support the principles and practice of Australian democracy.

This policy is to be read in conjunction with Policy no 3 – Equal Opportunity.

#### **Applicability:**

This Policy applies to all staff, tutors, volunteers, students, parents/legal guardians and Board members.

#### **Policy:**

#### **Responsible party**

##### **1. Statement of the policy**

Pines Learning supports and promotes the principles and practice of Australian democracy, including a commitment to:

- elected government
- the rule of law
- equal rights for all before the law
- freedom of religion
- freedom of speech and association
- the values of openness and tolerance.

##### **2 Communication and implementation of this policy**

- i This policy will be communicated to all students, parents/legal guardians, staff, volunteers, Board of Management and the wider community through the Pines Learning website, the student handbook, staff induction kit, tutor handbook and Board of Management induction kit.
- i All prospective students will be made aware of this policy on enrolment.
- ii All staff, including training staff will be provided with a copy of this policy and will be required to sign their acceptance of it.
- i The VCAL coordinator will include the teaching of the principles and practice of Australian democracy in the VCAL program.

**BOM  
Centre  
Manager**



## POLICY STATEMENT

Effective Date:	September 2013
Last Amended:	August 2013
Pages:	3
Distributed to:	BOM, Staff, Current and Potential Students
Document No:	23
Initialed by:	Julie White – President, Board

### **POLICY No. 23: STUDENT FEES AND CHARGES**

#### **Background:**

The Student Fees and Charges Policy is Pines Learning's statement of fees applying to accredited and pre accredited courses. Pines Learning offers government funded and fee for service places in courses.

#### **Definitions:**

**Tuition fee** – A fee paid for instruction including but not limited to fees for higher education.

**Student Service and Amenities fee** - A compulsory fee, used for the purpose of providing facilities, services or activities of direct benefit to students at the centre.

**Materials fee** - A fee paid to cover the cost of materials necessary to the teaching of the course and supplied to the students by Pines Learning. The materials are consumed or transformed by students during the course for the purpose of the course.

**Retained course items** - are items provided to students, which are bought and become the property of students, which attract GST.

**Fee-for-service** - Fee-for-service places in a course are places that do not attract any government funding for the delivery of the course.

#### **Purpose:**

To ensure Board members, staff, current and potential students understand the process for determining fees and charges for courses offered at Pines Learning.

#### **Applicability:**

This Policy applies to:

- all staff involved in establishing and collecting of fees and charges
- current and potential students to assist in the understanding of fees applied

#### **Related Documents:**

The following websites provide further information and should be referred to in conjunction with this policy:

1. Australian Skills Quality Authority (ASQA) [www.asqa.gov.au](http://www.asqa.gov.au)
2. Department of Education and Early Childhood Development (DEECD) [www.education.vic.gov.au](http://www.education.vic.gov.au)

## **Policy:**

## **Responsible party**

### **1. Accredited Course Fee**

**All Staff**

- i Course fees consist of:
  - Tuition fees
  - Service and amenities fees
  - Materials fees (in some instances), some of which may be subject to GST
- ii Book lists may be issued in addition to these charges. Some courses may also have specific requirements (for example, a uniform or tools).
- iii Pines Learning provides each student a Fee Agreement that lists all the applicable fees prior to each enrolment.
- iv Tuition Fee waivers/exemptions apply as per the Eligible Individual Fee Waiver procedure, link below:  
<G:\PROCEDURES\VET specific procedures\Eligible Individual Fee Waiver Procedure v1.docx>

### **2. Pre accredited Course Fee**

- i Course fees consist of:
  - Tuition fees
  - Service and amenities fees
  - Materials fees (in some instances), some of which may be subject to GST
- ii Book lists may be issued in addition to these charges. Some courses may also have specific requirements (for example, a uniform or tools).

**CM  
Managers  
Coords**

### **3 Government Funded Course Fee Concessions:**

- i Entitlements for concessions on tuition fees, are available for courses at the Certificate IV level and below. The following valid card holders (or listed as spouse or dependant) at the time of enrolment are eligible:
  - a) Commonwealth Health Care Card,
  - b) Pensioner Concession Card, or
  - c) Veterans Gold Card, or
  - d) An alternative Ministerial approved card
- ii Concession rates are calculated at 20 per cent of the hourly tuition fee.

**Staff processing  
enrolments**

### **4 Eligibility for Government Funded Places**

**Course  
Coordinators**

- i For current information in regard to eligibility for state government funding visit [www.education.vic.gov.au](http://www.education.vic.gov.au)

In 2013 you are eligible for a government-subsidised training place if you are:

- an Australian citizen
- an Australian Permanent Resident (holder of a permanent visa)
- a New Zealand citizen

**and** are **any** of the following:

- under 20 years of age
- seeking to enrol in an Approved Foundation Skills List course
- seeking to enrol in VCE or VCAL
- seeking to enrol in an apprenticeship

20 years and older and 'upskilling' by seeking to enrol in a course at a higher level than your existing qualification

- ii Those students who are not eligible for government-subsidised places are to be charged full fees.
- iii A payment plan is available to assist with payment of fees.
- vi Students may apply to have fees waived on hardship grounds. A "Student Discretionary Fund Application", available from the office, will need to be completed. (<G:\ADMIN\Student Discretion Fund Application Form.doc>)  
The decision to waive fees will be based on the "Procedure For Assessing Discretionary Fund Applications" <G:\PROCEDURES\Procedure for Assessing Discretionary Fund Applications.docx>

## **5 Fee for Service**

- i Where students are enrolled in a fee-for-service (full-fee paying) place in a course, they will be charged a rate of full-cost recovery, based on the appropriate number of hours, and the nature of the course.

## **6 Collection of Fees**

- i To secure a place in a course, students are required to complete an enrolment form and make the appropriate payment.  
Details of all fees will be provided with pre-enrolment course information
- ii Pines Learning does not accept payment of more than \$1000 from each individual student prior to the commencement of the course. Following course commencement payment of the remaining fees will be required from students but only such that at any given time, the total amount required to be paid which is attributable to tuition or other services yet to be delivered to the student does not exceed \$1,500.

## **7 Refund of Fees**

For refunds of fees see policy 4 – refund of fees

**Course  
Coordinators**

**Reception Staff**



## **POLICY STATEMENT**

Effective Date:	July 2012
Last Amended:	June 2012
Pages:	3
Distributed to:	BOM, Staff, Tutors and Students
Document No:	29
Initialed by:	Julie White – President, Board

### **POLICY No. 29: COMPLAINTS AND APPEALS POLICY FOR STUDENTS**

#### **Background**

At Pines Learning we aim to foster good relationships. We acknowledge that problems can arise which may sometimes cause people to feel aggrieved.

#### **Definitions:**

**Complaint:** For the purposes of this policy, a complaint may be about any action/non action verbal or otherwise, by management / staff / tutors / volunteers/students. A complaint can also be about discrimination, harassment, equity or any issue relating to training delivery / assessment, the quality of teaching and student amenities.

**Complainant:** Person/s making the complaint

**Respondent:** Person/s whom the complaint is about.

#### **Purpose:**

13. To provide a process for the effective management of complaints that is fair and equitable, in accordance with the principles of natural justice.

14. To address complaints in a timely and systematic manner.

#### **Applicability:**

This Policy applies to BOM, staff, tutors, volunteers and students.

#### **Policy:**

#### **Responsible party**

##### **1. Options for complaints**

**Coord/ Man/  
CM/BOM**

- i Less serious issues will be dealt with on a day to day basis.
- ii In some instances it may be worthwhile pursuing the following options prior to lodging a formal complaint.
  - a. Speak to the person regarding the problem. It may be the easiest way of resolving the issue. That person may be unaware the affect of their behavior/decision. By explaining the complaint it will give them a chance to redress the situation.
  - b. Speak to the relevant Coordinator/Manager/Centre Manager/Board of Management representative. With prior agreement, they may approach the Respondent and talk to them informally about the complaint. In this case the complaint may be solved through discussion and conciliation.
- iii Formal complaints are to be lodged as per point 2ii.

## 2. Process for handling formal complaints

- i Complaints will be dealt with professionally, impartially and confidentially.
- ii Complaints will only be investigated if they are made in writing by completing a Complaint Form ( [Complaint Form as per Policy 28, 29.docx](#))
- iii Completed Complaint Forms to be forwarded to the relevant Coordinator/Manager/Centre Manager or the President of the Board of Management.
- iv Each complaint will be dealt with fairly and equitably as soon as possible.
- v Both the Complainant and the Respondent will be provided with a copy of the complaint prior to the investigation.

## 3. The investigation Process

**Coord/Man/  
CM/BOM**

- i On completion of a Complaint Form, the matter will be investigated by the relevant Coordinator/Manager/Centre Manager or the President of the Board of Management.

If the relevant Coordinator/Manager/Centre Manager feels that there is a reason why they should not conduct the investigation (eg, they may be the Respondent or a friend of the Respondent), then the President of the Board of Management will conduct the investigation.

If the President is the Respondent or a friend of the Respondent then another member of the Board will conduct the investigation.

- ii The relevant Coordinator/Manager/Centre Manager or President may initially interview the Complainant, the Respondent and subsequently any witnesses and/or the relevant supervisors.
- iii Both the Complainant and the Respondent will be invited to be accompanied by a support person during the interview.
- iv All investigations will conclude with a report that has been prepared using the "Investigation Report Structure."( [Investigation Report Structure as per Policies 28,29.docx](#) )
- v If the complaint is serious (eg assault, stalking, theft) the Respondent might, at the discretion of the Centre Manager, be suspended pending and /or during the investigation. Pines Learning has an obligation to report serious incidents to the Police.
- vi All complaints received will be considered and investigated, however Pines Learning reserves the right to decide the depth and form of its investigations.

An investigation may not necessarily involve an interview.  
Investigations will be treated confidentially to protect the people involved.

## 4 Outcomes

**Coord/ Man/  
CM/BOM**

- i There are 3 likely outcomes to a complaint:
  - Proven
  - Not Proven (not enough evidence to formulate result)
  - Disproven (complaint fabricated)

One of these outcomes will be stated in the Investigation Report based on the evidence.



- ii If the investigation outcome is **Proven** the report may also document recommendations outlining possible solutions for the Complainant and the organisation.  
These may include:
- a written apology from the Respondent
  - an official warning to the Respondent
  - exit of the Respondent from the course
  - permanent ban of the Respondent from the Centre

In the event disciplinary action is required for staff, refer to the **Disciplinary Policy And Procedures For Staff or Tutors**.

- iii If the investigation outcome is **Not Proven** the report may also document recommendations for the organisation.  
These may include:
- training for all staff
  - monitoring behaviour of all staff/students

- iv If the investigation outcome is **Disproven** the report may also document recommendations outlining possible outcomes for the Complainant.  
These may include:
- a written apology to the Respondent
  - official warning to the Complainant
  - exit from the course of the Complainant
  - permanent ban from the Centre of the Complainant

- v At the discretion of the Coordinator/Manager/Centre Manager/Board Member representative, whoever conducted the investigation a full report or just the outcomes will be provided to the Complainant and the Respondent.

## 5 External agencies

- i If the Complainant is not satisfied with the way in which the complaint was handled they may take it to an outside agency, such as a peak body for Adult Community Education such as ANHLC and/or AceVic or the Human Rights and Equal Opportunity Commission.



# Complaint Form

When you are making a complaint it is necessary that the information you provide is clear and concise. Please be aware that this form may be presented to the Respondent/s (person/s you are complaining about), this is to allow the Respondent an opportunity to understand what the complaint is and to respond fully to any allegations. Confidentiality will be respected as much as is practical whilst also observing the right to natural justice.

All complaints received will be considered and investigated, however Pines Learning reserves the right to decide the depth and form of its investigations. Please be aware that an investigation does not necessarily involve interviewing staff.

Please allow up to 10 working days for investigation and processing of your complaint. You will be notified in writing of the outcome.

**Date:**

**Name of Complainant:**  
(your name)

**Name of Respondent:**  
(person/s whom you are complaining about)

**Date/s of incident(s):**

**How would you describe the incident/issue**

<input type="checkbox"/> Bullying and/or Harassment	<input type="checkbox"/> Breach of OH&S laws/Policies
<input type="checkbox"/> Sexual Harassment	<input type="checkbox"/> Other Policy breach (define which policy)*
<input type="checkbox"/> Discrimination (describe grounds for discrimination)*	

**Description of Issue or Incident:**

**Grounds for claims of discrimination or particular policy breach:**

  
  

**Please list each incident/issue chronologically and for each incident/issue specify:**

- Who did what (in just a few sentences)
- When (and how often)
- Where, and
- How do you believe there was a detrimental effect on you.



## POLICY STATEMENT

Effective Date:	October 2012
Last Amended:	September 2012
Pages:	
Distributed to:	Students, Staff, Tutors, Volunteers
Document No:	31
Initialed by:	Julie White – President, Board

### **POLICY No. 31: DISCIPLINARY POLICY AND PROCEDURE FOR STUDENTS**

#### **Background:**

Pines Learning aims to provide a supportive, friendly and safe learning environment for all staff and students. Where the actions of a student(s) poses, or has the potential to pose a threat to the learning environment, health and safety of others, disciplinary action will be taken. In all cases where disciplinary action is required, students will be treated fairly, equitably and in accordance with the laws of natural justice.

#### **Purpose**

1. To protect staff, students, volunteers and service users.
2. To provide guidelines for disciplinary action.
3. To provide a process whereby students are treated fairly and equitably.

#### **Definitions:**

**Natural Justice** – being given a reasonable opportunity to be heard and having a decision made by a decision maker who is free from actual or the appearance of bias.

**Service user** – anyone who has access to Pines Learning, including students.

**All people who access Pines Learning** – staff, tutors, volunteers, students, service users and contractors.

#### **Applicability:**

This Policy applies to students of Pines Learning.

#### **Policy:**

#### **Responsible party**

##### **1. Reasons for disciplinary actions**

###### **i Misconduct may include:**

- breach of Pines Learning Class Conduct Guidelines
- dishonesty
- failure to attend a minimum of 80% of scheduled classes (pre accredited and accredited classes only)

**All Coords**

###### **Serious Misconduct may include:**

- behaviour that is detrimental or threatening to all people who access Pines Learning
- actions involving harm (or the real possibility of harm) to all people who access Pines Learning
- verbally abusing another person at the centre

- harassment or discrimination against all people who access Pines Learning
- sexual harassment of all people who access Pines Learning
- activities involving theft or deliberate reckless damage to the centre.
- breach of Pines Learning agreed policies or regulations, as amended from time to time
- refusal to carry out lawful instructions of the Pines Learning staff
- defamation of Pines Learning, staff members and volunteers
- participating in any illegal activities

## **2. Breach of Class Conduct Guidelines**

**All Tutors**

- Class conduct guidelines are provided to students in the student handbook on enrolment and are displayed in each classroom.
- In the event the class conduct guidelines are breached, an initial verbal caution may be issued by the class tutor.
- If the situation does not improve, the student may be asked to leave the classroom. The tutor will advise when the student can return to class.

- If the behaviour or situation re occurs the tutor will inform the coordinator and the following steps may be taken and a first formal verbal warning may be given:
  - The student may be required to meet the program coordinator to discuss their behaviour.
  - The program coordinator/manager may decide to remove the student from that session and ask them to leave the centre.
  - In the case of students under 18 years of age, their parents/guardians may be notified.
  - The program coordinator/manager may restrict the student's attendance until an interview with parents/guardians/case workers/support person has been scheduled to discuss inappropriate behaviour, if applicable.
  - If a verbal warning is to be given, the program coordinator will notify the student at the time of the meeting that a verbal warning has been given. A record of this meeting will be documented and signed by the relevant parties. In the case of students under 18 years of age, their parents/guardians will be notified.

**All Coords**

- The following will be documented in the client notes in the student management system (VetTrak):
  - Details of incident, including date/time, name of staff member involved
  - Notation of verbal warning
  - If student under 18 years of age:
    - Name of parents/guardians that were contacted, time and date
    - Notation if student was asked to leave the centre and time and date
- The student will be advised by the relevant program coordinator when or if they can return to class.
- Failure to attend 80% of scheduled classes may result in no certificate being awarded.

## **3 In the event of Misconduct other than Breach of Class Conduct Guidelines**

**All Coords**

- An incident report may be completed by witnesses and provided to the program coordinator/manager.

- ii The program coordinator/manager may:
  - Schedule a meeting with the student to discuss the incident and provide an opportunity for a right of reply.
  - The student may be advised ahead of the scheduled meeting about the incident and that they can bring a support person to the meeting. In the case of students under 18 years of age, their parents/guardians may be notified, and are expected to attend the meeting.
  - The program coordinator/manager may restrict the student attending class until a meeting with parents/guardians/case workers/support person has been scheduled to discuss the incident.
  - A verbal warning may be given. The program coordinator will notify the student at the time of the meeting that a verbal warning has been issued. This will be documented with the minutes of the meeting. In the case of students under 18 years of age, their parents/guardians will be notified. In the event this is a second verbal warning then an individual conduct contract may be drawn up for the student. In the case of students under 18 years of age, their parents/guardians will be notified.
- iii If the student denies responsibility of the incident then an investigation into the incident may be conducted and an outcome will be determined using the investigation report template:  
<G:\POLICIES\Organisational Policies\CURRENT\Investigation Report Structure as per Policies 28,29.docx>
- iv In the event an investigation is required the student may be requested to abstain from attending classes whilst the investigation is underway.
- v The recording of information of the incident will be the same as in point 2vi.
- vi The student will be advised in writing of:
  - the outcome of the investigation, if applicable
  - when they can return to class and any conditions agreed to
  - enrolment termination if required and why

#### **4 Serious Misconduct Breaches**

**Centre  
Manager**

- i Points 3i -3vi will be followed.
- ii All unlawful misconduct will be reported to the Police.
- iii In this case the students may be directed to withdraw from the course
- iv In the case of a student being asked to withdraw from a course for misconduct, no refund will be given, unless within the Centre's Refund Policy
- v Re-enrolment in future courses at Pines Learning is at the discretion of the Centre Manager.

#### **5 Appeal Process for Student**

- i A student may appeal against actions from this policy, in accordance with Policy 29 - Complaints & Appeals Policy for Students, within fourteen days.
- ii If the appeal is upheld then the student may continue to complete the course.