



**Empowered people.
Better results.**



LMA Code of Practice

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1. Introduction

1.2 Welcome

Congratulations on taking this important step towards developing and enhancing your vocational skills and knowledge.

The purpose of this Handbook is to provide you with information about your rights and obligations as a Leadership Management Australia (LMA) Participant, which will assist in making your learning journey with us both enjoyable and successful.

A summary of the following policies is contained in this Handbook for your reference:

- Fees and Charges Policy
- Refund Policy
- Consumer Protection Policy
- Access and Equity Policy
- Workplace Health and Safety Policy
- Participant Support Policy
- Assessment Policy
- Complaint Procedure
- Misconduct and Disciplinary Procedures
- Privacy Policy

The information in this Handbook is current at the time of printing but may be updated from time to time due to changes in legislation or LMA policy. The latest version of the Handbook is always available for download from our website at www.leadershipmanagement.com.au

2. About LMA

Leadership Management Australia (LMA) has been creating exceptional results through people for over 40 years.

LMA is an Australasian business that works with organisations to boost their bottom line by:

- Developing the leadership of their key people
- Improving their employees' performance and productivity.

LMA courses have already enhanced the leadership skills, performance, productivity and sales skills of over 120,000 people from thousands of organisations across Australia and New Zealand.

At LMA, we don't train people – we develop them through our unique development process – and there's a massive difference.

Information received through traditional training methods is quickly forgotten. However, if you can actually change and improve the way people think, work, interact and live, their value to the organisation will continue to grow indefinitely.

As a recognised leader of training and development in Australasia, the unique LMA process delivers permanent behavioural change, impacting people's lives both personally and professionally.

3. Course Overview Sessions

An Overview session is run for Participants and their Manager/Mentors prior to course commencement. The purpose of the Overview session is to ensure that all training and assessment information is provided prior to the commencement of the course.

Topics covered at the Overview include:

- Qualification outcomes
- Course duration and time commitment
- Delivery strategy – how the course will actually be delivered
- Learning resources
- Assessment requirements
- Additional support available to Participants while undertaking the course
- Recognition of Prior Learning (RPL) or Credit Transfer for prior study
- Complaints and appeals processes

Information about Government Funding and/or Traineeships (if applicable) will be provided prior to the Overview session, as will information about fees and refunds.

Participants and Manager/Mentors are encouraged to contact the Facilitator or Course Coach if they have any questions or are not sure about any aspect of the course.

4. Participant Support and Welfare

4.1 Participant Support

Our Facilitators, Course Coaches and Client Support are available to help you achieve your learning objectives and support you to successfully graduate from your course. If you are having difficulties with the course material, managing your time and commitment to your course, or any other course related matter, do not hesitate to speak with your Facilitator or Course Coach for guidance. Support may include additional one-on-one coaching, extra time to complete activities or reasonable adjustments to assessment activities.

4.2 Language, Literacy and Numeracy assessment (LLN)

As language, literacy and numeracy are important requirements for workplace performance, Participants are required to undertake a Language, Literacy and Numeracy (LLN) pre-assessment exercise to identify any LLN needs that may impact on their course progress or outcomes.

We support the provision of additional LLN assistance where required. Information is provided about external support services to Participants regarding assistance and support for language, literacy and numeracy where this need is identified. Any fees incurred for additional language and literacy support will be the responsibility of the Participant or employer.

Where a Participant's literacy is found to be below the level required to satisfactorily undertake the course, (even with support) an alternative course or a non-assessable enrolment can be considered.

4.3 Access and Equity

LMA prides itself on creating a 'unique learning experience' for all of its Participants. We incorporate the principles of Adult Learning in all of our delivery to encourage active participation in all of our programs. LMA's unique Feedback Online (FBOL) system ensures that all of the Learning Partners - Participant, Manager/Mentor, LMA Course Coach and LMA Facilitator, communicate and work synergistically to support the success of the Participant.

LMA is committed to providing a learning environment responsive to the diverse needs of all clients. We provide a learning environment that is free from discrimination and harassment and abides the principles of access and equity.

LMA ensures its training and assessment courses are relevant, fair and inclusive by acting ethically in selection of Participants and do not discriminate on grounds of gender, ethnicity, religion, political belief, family responsibility, sexuality or social and educational background.

LMA complies with all requirements of State and National Equal Opportunity legislation and takes into account the Charter of Human Rights and Responsibilities (Vic 2006) when developing policies and delivering services.

4.4 Workplace Health and Safety

LMA is committed to ensuring the health and safety of staff, Participants and other persons throughout all areas of its activities in accordance with State and Commonwealth WHS legislation and relevant Codes of Practice.

It is the responsibility of all LMA staff to follow and maintain safety systems appropriate to their delegated operational authority.

Participants have an obligation for their personal welfare and the welfare of their fellow Participants. Participants must follow safe working procedures at all times, take reasonable care to prevent personal injury or injury to others and reasonable care to prevent damage to the training facilities. A copy of our WHS Policy is available on request.

5. Enrolment

5.1 Pre-Training Review and Enrolment

Generally, Participants are nominated by employers to undertake programs. Information may be provided to us by employers about a Participant's job role and previous qualifications, to ensure the most appropriate course is offered.

RTO's delivering funded programs have an obligation to ensure that the nominated qualification/s and delivery strategy is both suitable and appropriate for each individual, prior to accepting their enrolment. LMA conducts a pre-training review with each funded Participant to ensure the nominated course aligns well with their job role, career goals, prior experience and current abilities. On some occasions it may be necessary to redirect Participants to a more suitable qualification as a result of the pre-training review.

There are no mandatory requirements for entry into our vocational qualifications, though Participants should possess numeracy, language and literacy skills that will see them achieve the relevant learning outcomes

5.2 Unique Student Identifier (USI)

A USI is required by all Australians undertaking nationally recognised training. It allows Participants to link to a secure online record of all qualifications gained regardless of the provider. This system was implemented by the Australian Government in 2015, so it will show courses and units completed from 1 January 2015 onwards.

As an RTO, LMA cannot issue Certificates or Statements of Attainment without a USI. Therefore, it is mandatory that all Participants supply their USI upon enrolment.

You can visit <https://www.usi.gov.au/students/create-your-usi> to create a USI if you do not already have one.

5.3 Government funded training

Participants (or their employers) may be eligible for funding support from State or Commonwealth Governments under a range of training support and incentive programs.

When undertaking a funded course, in addition to the normal enrolment paperwork, you may be required to complete eligibility documents and provide copies of your Medicare card or other approved identification.

Undertaking a funded course can impact on a Participant's eligibility to access funded training in the future. Prior to your enrolment, LMA staff will explain how undertaking the program may impact your future training entitlements. If you have any questions regarding accessing a funded place, you can also contact LMA's RTO Compliance Manager on: krobb@lma.biz, Ph: 03 9822 1301.

5.4 Change of address, name or contact details

It is a requirement that we have the correct name and contact details for all Participants enrolled with us. If a Participant changes their address, name or contact details after enrolment they are required to update these details in the User Details screen on the Feedback Online (FBOL) system. Instructions for using the (FBOL) system are along with log in details are provided to Participants prior to course commencement.

6. Recognition of Prior Learning and Credit Transfer

LMA recognises qualifications and statements of attainment issued by other RTOs. Originals or original certified copies of qualifications and statements of attainment issued by another RTO are accepted under Credit Transfer arrangements where the qualification or competence is considered equivalent to the one for which transfer is being granted.

Credit Transfers may also be granted on the presentation of an authenticated VET Transcript issued by the National Registrar.

Where there is no direct correlation, the process of Recognition of Prior Learning (RPL) shall be conducted. This procedure provides Participants with the opportunity to have their skills and knowledge obtained through other training and work experience recognised and credited towards the qualification.

Participants interested in applying for Credit Transfer or RPL should contact their LMA Facilitator, Licensee or Course Coach or refer to the LMA Credit Transfer Procedure. Interest in applying for Credit Transfer or RPL should also be indicated on the enrolment form.

7. Attendance and Participation

Attendance and punctuality in workshops are important factors that contribute to successful completion of our courses. LMA expects Participants to attend at least of 80% of workshops to ensure they fully engage in the discussion of ideas and concepts that underpin successful completion of the learnings. Participants are asked to advise their facilitator in advance if they are unable to attend a workshop for any reason.

8. Deferral of Studies

Participants may defer from a course for up to 12 months. After 12 months has lapsed the Participant will need to re-enrol. A statement of attainment will be issued for units completed, but partially completed work cannot be transferred to a new course after 12 months.

Participants can only defer once during a course. The approval of any further deferral is at the discretion of the RTO.

Participants who are completing their course under a traineeship arrangement may need to apply for an extension to the nominal duration of the traineeship to ensure they are able to complete the course within the traineeship duration.

A deferral or transfer fee will be charged by the RTO and varies depending on the course. The current deferral/transfer fee for each course is available from the Course Menu in FBOL. Alternatively, the current deferral/transfer fee can be requested from LMA Resource Centre.

If a course is superseded or undergoes significant changes to the delivery model during the time the Participant is deferred, additional fees, above the normal deferral fee may be charged and the Participant may be required to complete supplementary assessment activities.

Participants wanting to defer or withdraw should first discuss their situation with their Facilitator or Client Support who can advise on the impact of a deferral/withdrawal and may be able to

offer alternative solutions if difficulty managing workload is a factor in the decision to defer/withdraw.

Participants can request to defer or transfer through the Online Deferment Form in the Course Menu in FBOL.

9. Course Transfer

Transfer from one course to another will result in the initial course being cancelled and a new enrolment in the transfer course. All implications of a transfer must be thoroughly explored before deciding to transfer to another course. These will be explained to you by your Facilitator or our operations staff. LMA will be required to notify third parties (AASN and Employer for Trainees, and Government Departments for Participants in funded training).

Transfers may also occur when a qualification has been superseded and we need to update your enrolment to a more current qualification.

10. Issue of Qualifications

Once you have been assessed as competent in all the required units of competence and all fees (where applicable) are paid, you will be issued with a nationally recognised qualification. (Note: Trainees engaged in workplace training will also need to have competency sign-off from their employer/supervisor). If you do not complete all the units of competency required for a qualification, a Statement of Attainment will be issued for the competencies successfully achieved.

Your records of achievement are maintained by LMA for 30 years from the original date of issue, including Participant name, Participant number, certificate number, qualification code and title, units of competence, and date of issue, and are transferred to the government regulatory authority in the event of RTO closure.

A record of your results is also maintained on the National Register which you can access through your USI account.

11. Fees and Charges Policy

LMA will ensure that all costs involved with its training services are provided to Clients (and Participants where applicable) prior to the commencement of any training and/or assessment services.

Where training is being delivered under state funding contracts and government mandated fees are set, the mandated fee will be charged. Some state funding contracts require Participants to receive a Statement of Fees. The Statement of Fees is for information purposes only. All tuition fees are paid by your employer.

Additional fees are charged for the re-issuing of Certificates and Statements of Attainment. Participants will be advised of the current fee at the time they request the re-issue.

Non-payment of fees may result in the suspension or cancellation of training. LMA may withhold Certificates until fees have been paid.

In accordance with Clause 7.3 of the National Standards (2015), RTOs are required to have Fee Protection in place for fees of \$1500 or more paid in advance by Participants. As LMA does not accept payment of any course fees from individual Participants it is not required to hold Fee Protection for prepaid fees. All course fees are paid by the Participant's employer.

12. Refund Policy

12.1 General Refund Conditions

Should LMA cancel or postpone any course, Participants are able to re-enrol into the next available course as a refund in this instance does not apply. Where the client, in consultation with LMA, pays a deposit of 10 - 50% and the potential Participant(s) cannot attend, the client will replace the Participant(s) with another, or re-enrol the original applicant(s) into a future course, as a refund in this instance also does not apply. There is no refund available for any LMA courses once the Overview date of the course has passed.

Where a funded Participant withdraws from training, a partial refund will be provided if required under the relevant government funding contract.

12.2 Special Refund conditions for new Clients enrolling Participants into The Performance Edge Course (Only)

On the following terms and conditions, the enrolment fees for new Clients will be refunded in full, if at the conclusion of the Mid-Term Review Meeting, they are not satisfied with the results received:

- The Client enrolls a minimum of two (2) and a maximum of four (4) Participants into The Performance Edge course
- The enrolment fees are paid prior to commencement of the course
- The Participants and their Manager/Mentor attend the Overview Meeting on the actual course commencement date
- The Participants actively take part in the workshops and complete the activities and Feedback Online requirements
- The Manager/Mentor supports the Participants as requested through the use of the Feedback Online system and meets with Participants after each module to review the content, relevance and application to their work environment.

12.3 Credit Transfers for Funded Participants

Under state funding contracts no tuition fee is payable for a credit transfer unit. Where a credit transfer is not identified until after the tuition fee invoice has been paid, a refund to the value of the credit transfer will apply.

13. Consumer Protection

Should LMA cease operations or be otherwise unable to complete delivery of the agreed program, Participants will be issued with a Statement of Attainment for units completed and referred to an alternative training organisation. A pro-rata refund will be provided for any training and assessment not yet delivered.

14. Training Delivery

14.1 Competency Based Training

Competency Based Training (CBT) is an approach to training that focuses on allowing a Participant to demonstrate their ability to do something. Used throughout the Vocational Education and Training sector, competency based training is utilised to develop concrete skills and is typically based on a standard of performance expected in the workplace and industry.

Vocational programs deliver qualifications that are made up of Units of Competency. Each unit defines the skills and knowledge required to effectively perform in the workplace. Assessment is based upon the learning outcomes expected from each Unit of Competency.

Wherever possible, LMA offers flexible approaches to learning and assessment. Primarily we deliver our training and assessment in workshops at the Participant's workplace and on the job.

We aim to customise training to suit the specific needs of our clients and the Participant's work role where possible. Assessment options must comply with Training Package rules and any other accreditation requirements.

LMA incorporates adult learning principles throughout the delivery of its training courses. Although your Facilitator will assist you with advice and support during your course, you are encouraged to take responsibility for your own learning and to actively participate in the learning and assessment process.

15. Assessment Procedures

15.1 Competency Based Assessment

In Competency Based Training, assessment is conducted to determine if a Participant has acquired the skills and knowledge outlined in each Unit of Competency. If a Participant's performance in the assessment does not demonstrate the requirements, rather than a fail, competency based assessment means the Participant is marked as 'Not Yet Competent', indicating more training is required to reach the point of being 'Competent'. Assessors will look for evidence against which to base their judgements of competency.

Assessment can be conducted in a number of ways depending on the program and may include:

- Workplace Projects
- Observations
- Case Studies
- Questioning
- Work samples
- Written or verbal questions

LMA undertakes to provide all Participants with an assessment process that is fair, valid, and reliable and shows flexibility for individual circumstances. Assessment is carried out by qualified assessors.

You will be informed at the commencement of your course of the types of assessment you must complete during the course. Participants who successfully demonstrate competency against the relevant national standards will receive a Statement of Attainment for the unit/s within the course. A qualification is issued on successful completion of a whole course of study.

If you receive a "Not Yet Competent" outcome for a unit, you can discuss with your Facilitator opportunities for further training and re-assessment. LMA will allow a second attempt at a unit within the standard course fee. Subsequent re-attempts will be at the discretion of the RTO and an additional fee may be applicable.

15.2 Assessment Feedback

You will receive feedback on each of your assessment activities from your Facilitator through the Feedback Online (FBOL) system. You can also track your progress through each of the units of competency through the Competency Log on Feedback Online (FBOL).

15.3 Plagiarism

All work that you submit for assessment must be your own. Plagiarism is taking someone else's work and/or ideas and passing them off as your own. It is a form of cheating and is taken seriously by LMA.

The following are examples of plagiarism:

- Copying sections of text and not acknowledging where the information has come from
- Mashing together multiple 'cut and paste' sections, without properly referencing them, to form an assessment response
- Presenting work that was done as part of a group as if it were just your own work
- Using information (pictures, text, designs, ideas etc.) and not citing the original author(s)

LMA uses workplace group projects as a means of learning new skills and to provide supporting evidence for assessment judgements. You can include information from group projects in your individual assessments, provided it accurately reflects your contribution to the project and consists of your own observations and recommendations about the project.

15.4 Reasonable Adjustments

Reasonable adjustment may be provided for individuals with a special need (such as low literacy, hearing or sight impairment) according to their personal circumstances. Please speak to your Facilitator if you have concerns about your ability to undertake an assessment. Your Facilitator will work with you to identify whether it is possible to adjust the assessment in such a way that still allows you to demonstrate you have met the required outcomes.

15.5 Appealing the Results of Assessment

Assessment appeals relate specifically to dissatisfaction with an assessment outcome. Complaints regarding the training services more broadly, which do not directly relate to an assessment outcome, should be addressed through the Complaint and Consumer Protection Policy.

- In the first instance the Participant should discuss their assessment outcome concerns directly with their Assessor, who will outline the reasons behind the assessment decision.
- If the Participant is still dissatisfied with the outcome of their assessment after discussing it with the Assessor, or is unwilling to approach the Assessor directly, they may lodge a formal assessment appeal with the Learning & Delivery Quality Manager.
- An assessment appeal is deemed to be formal when it is made in writing to the Learning & Delivery Quality Manager.
- The Learning & Delivery Quality Manager will acknowledge the assessment appeal in writing within three (3) working days of receiving the written appeal. The Learning & Delivery Quality Manager will record details of the Assessment Appeal in the Assessment Appeal Register.
- The Learning & Delivery Quality Manager will review the original assessment decision and may speak with the Participant and the Assessor separately to determine whether re-assessment is warranted.
- The Learning & Delivery Quality Manager will advise the Participant and the Assessor in writing of their decision, to either let the original outcome stand, or to have a re-assessment conducted. The written advice will include the reasons for

the decision. The Learning & Delivery Quality Manager will update the Assessment Appeal Register.

- Where re-assessment is to take place, the Learning & Delivery Quality Manager will advise the Participant and the original Assessor of the timeframe for the re-assessment and ensure the re-assessment takes place as soon as practicable.
- Re-assessment will be conducted by a suitably qualified Assessor, not involved in the original assessment decision.
- At the completion of the re-assessment, the Learning & Delivery Quality Manager will advise the Participant and the original Assessor in writing of the outcome of the re-assessment. The outcome of the re-assessment will stand as the new assessment outcome. The outcome of the re-assessment will be recorded in the Assessment Appeal Register
- If the participant is dissatisfied with the outcome of the assessment appeal process, they may request to have the matter referred to a mutually agreed, impartial, external, accredited assessor for re-evaluation. LMA will bear any cost associated with an external review.
- LMA agrees to abide by the decision of the external assessor.
- If the timeframe for resolution of the assessment appeal looks like exceeding 60 days, the Learning & Delivery Quality Manager will inform the Participant in writing why that is the case and keep the Participant updated as to the progress of their appeal.
- LMA retains an 'Assessment Appeal Register' which documents all formal assessment appeals and their resolution.
- Where the outcome of an assessment appeal identifies the need for an improvement to assessment process, tools or staff professional development, the Learning & Delivery Quality Manager will be responsible for implementing the improvement

16. Complaint Procedures

LMA is committed to providing quality training and assessment services to Participants and their employers. We value feedback from Participants, staff and employers as an opportunity for continuous improvement. Any person, who is dissatisfied with the services delivered by LMA, our staff, licensees and third parties on our behalf, is encouraged to raise the issue at the earliest opportunity to enable it to be addressed promptly. Complaints or concerns may also be raised about the behaviour of fellow Participants undertaking our programs.

16.1 Complaint Policy

LMA's process for the settlement of complaints is underpinned by the principles of natural justice and procedural fairness. Complaints are responded to in a fair and unbiased way and those who are involved in the complaint are informed of the allegations and given an opportunity to present their side of the matter.

LMA's complaint policy and procedure is available in the LMA Handbook and is also available on the website.

In the first instance, the complaint should be managed informally, by the parties involved and the Learning & Delivery Quality Manager. If the complaint is unable to be resolved to the satisfaction of the parties through the informal process, a formal written complaint may be lodged with the Quality and Compliance Manager.

Formal complaints will be investigated and dealt with in a reasonable timeframe and the outcomes documented. All parties to the complaint will have the opportunity to present their position and may nominate a support person to assist in presenting their position.

Where a complainant is dissatisfied with the outcome of a formal complaint, the complaint can formally appeal the outcome. The complaint will then be referred to an appropriate independent arbitrator (such as an independent VET consultant) for appeal.

LMA agrees to abide by the decision of the independent arbitrator.

Dissatisfaction with assessment outcomes should be addressed through the Assessment Appeals process. Refer to the Assessment Policy for the assessment appeals process.

16.2 Complaint Procedure

Informal Complaint

The initial stage of any complaint is for the Complainant to raise their concerns as soon as practicable with the individual(s) concerned, the aim being to resolve the problem directly and informally.

If the Complainant would prefer not to approach the individual concerned directly or are not satisfied with the initial response to the grievance, they should raise their concern with the Learning and Delivery Quality Manager.

The Learning and Delivery Quality Manager will discuss the concern with the Complainant and will also speak with the other parties involved with the aim of satisfactorily resolving the issue. If the Complainant is not satisfied with the outcome, they will be informed of their right to lodge a formal complaint in writing to the Quality and Compliance Manager.

Formal complaint

Formal complaints may only proceed after the informal complaint procedure has been finalised.

Formal complaints concerning LMA, our staff, licensees, third parties providing services on our behalf, or program Participants must be made in writing to the Quality and Compliance Manager. Written formal complaints can be lodged by email to the Quality and Compliance Manager krobb@lma.biz or by post to LMA, 6A University Place, Clayton, Victoria 3168.

The Quality and Compliance Manager will acknowledge receipt of the complaint within three (3) working days and may contact the Complainant, their representative and other parties involved in the complaint to seek clarification of any information relevant to the complaint.

Any party, against whom a complaint is lodged, will be advised that a complaint has been made against them, and has the right to view the written complaint and access any evidence provided by the Complainant. The party is entitled to present a defence against the complaint and may nominate a chosen representative to act on their behalf.

The Quality and Compliance Manager will make every effort to resolve the complaint internally between the parties involved within a reasonable timeframe, but not exceeding 4 weeks.

Should the resolution of the complaint take more than 4 weeks, the Quality and Compliance Manager will advise the Complainant in writing of the reasons for the extended timeframe and provide regular updates on the progress of the matter.

Once the complaint has been investigated by the Quality and Compliance Manager, the Complainant will be provided with a written statement explaining the outcome of the complaint and the actions, if any, to be taken by LMA.

If a Complainant is dissatisfied with the outcome of the internal formal complaint process, they may formally appeal the outcome.

Formal appeals should be lodged in writing to the Quality and Compliance Manager outlining the reasons for the appeal. The matter will then be referred to independent arbitrator for appeal. LMA will bear any cost associated with an appeal to an independent arbitrator.

Both the Complainant and the party, against whom the complaint is lodged, may nominate a chosen representative to act on their behalf in any subsequent discussions or arbitration.

LMA agrees to abide by the decision of the independent arbitrator.

The Quality and Compliance Manager retains a secure 'Complaints Register' which documents the details of all formal complaints, appeals and their outcome.

16.3 Review of Complaint Records

Where the outcome of a complaint identifies the need for a policy or process improvement to avoid further instances of dissatisfaction, the Quality and Compliance Manager will be responsible for implementing the improvement. Improvements are recorded on the Continuous Improvement Log.

16.4 Smart and Skilled

In the unlikely event that Participants undertaking funded training through NSW Smart and Skilled are dissatisfied with the manner in which a complaint has been handled by Think Perform, they may refer the issue to Smart and Skilled on 1300 772 104. Email: smartandskilled.enquiries@industry.nsw.gov.au

17. Misconduct and Disciplinary Procedures

LMA provides an adult learning environment and all staff and Participants are expected to act responsibly, and to treat all staff and fellow Participants with courtesy and respect. It is important that Participants also act in a manner that helps maintain a healthy supportive learning environment for all.

17.1 Misconduct

LMA reserves the right to discipline a Participant for misconduct where appropriate.

Misconduct may include but is not limited to the following conduct:

- Aggressive or violent behaviour
- Use of abusive or inappropriate language
- Discrimination, harassment, intimidation or victimisation of any person
- Behaviour which creates a health and safety risk to self or others
- Refusing to carry out lawful and reasonable instructions
- Behaviour which impacts negatively on the rights of fellow Participants to learn in a supportive environment
- Theft
- Being affected by alcohol or drugs
- Assessment misconduct, including plagiarism and submitting work of another person as your own.

17.2 Disciplinary Procedures

- If a Facilitator wishes to discipline a Participant, he/she should make a formal or informal approach, to the Learning and Delivery Quality Manager.
- If the discipline notice (written notice) is lodged informally, the Learning and Delivery Quality Manager will immediately clarify the matter in writing and forward a copy to the Participant and any chosen representative for confirmation.
- Any discipline procedure and the process of its resolution will remain confidential between the parties involved.
- The Participant is entitled to present a defence against the notice and may nominate a chosen representative to act on their behalf.
- The RTO Learning and Delivery Quality Manager will make every effort to resolve the disciplinary action internally between the parties involved.
- If the action cannot be resolved internally, an independent person will be approached immediately to act as an impartial arbitrator.
- The Participant will be consulted about the selection of the independent arbitrator.
- Both the Participant and the Facilitator may nominate a chosen representative to act on their behalf in any subsequent discussions or arbitration.

- The outcome of any discipline procedure will result in one of the following:
 - The Participant will cease the misconduct and continue in the training course
 - The Participant may be taken out of group training for one on one sessions (this may incur additional costs)
 - The Participant may choose not to continue with the course
 - The Employer may choose to withdraw the Participant from the training course
 - LMA may cancel the enrolment of the Participant.

Please also refer to the LMA Assessment Policy for information on disciplinary procedures that apply to assessment misconduct, including plagiarism and the submitting work of another Participant or person as your own work.

As Participants are undertaking the training under the auspices of their employer, they are also subject to the disciplinary policies and procedures of their employer.

18. Privacy and Freedom of Information Procedures

18.1 Participant Records and Privacy

LMA collects and securely safeguards the personal information necessary for the creation and maintenance of Participant records. This information includes all personal information collected on the enrolment form as well as attendance records, assessment results and program evaluations.

Access to personal records is restricted to authorised staff who need to view records in order to provide training and assessment services the Participant. Access to Participant information is controlled by secure log-ons.

LMA is required to provide Commonwealth and State Government Authorities with Participant and training activity data. This information is required to be provided in accordance with the VET Quality Framework.

Course progress and attendance information may be disclosed to the Participant's employer, where the Employer is paying for the program, or where the Participant is undertaking the training through a traineeship. With the exception of Employers, information is not disclosed to any other person, without the Participant's written permission unless LMA is required to do so by law. Participant consent to disclosure of information is retained in FBOL.

LMA may take photos of Participants at Graduations. Occasionally, graduation photographs may also be used in newsletters or for publicity purposes.

Facilitators and other staff will always identify when they are taking photos so Participants who don't wish to have their photo taken can exclude themselves from the photo. Participants who do not wish to be photographed should advise the staff member at the time the photo is being taken to ensure they are excluded from the photo.

Refer to LMA's Privacy Policy on our website www.leadershipmanagement.com.au.

18.2 Access to Records

Participants have the right to access their current records of participation and progress, and to correct any personal information held about them.

LMA's Feedback Online (FBOL) system provides all Participants with timely access to current and accurate records of their personal details, participation and progress. The online competency log in FBOL provides up to date information relating to the attainment of competency. Feedback on progress from Facilitators, Coaches and Manager/Mentors is also provided via FBOL.

19. Legislative Requirements

As a Registered Training Organisation (RTO), Leadership Management Australia (LMA) is obliged to operate within the VET Quality Framework, (which includes the Standards for Registered Training Organisations 2015) as set out by the Australian Skills Quality Authority (ASQA).

In addition to the Standards for Registered Training Organisations 2015, Think Perform is required to meet all legislative requirements of State and Federal Governments including those relating to:

- Occupational Health and Safety legislation
- National Vocational Education and Training Regulator Act 2011
- Workplace harassment, victimisation and bullying legislation
- Anti-discrimination, including equal opportunity, racial vilification, disability discrimination legislation
- Privacy legislation
- Anti-Bullying and Harassment Policy
- Access and Equity legislation

20. Evaluation and Surveys

Each year LMA participates in the Australian Quality Indicator Surveys which measure learner and employer satisfaction with our training and delivery services. Survey outcomes are reported annually to the Australian Government National Regulator (ASQA) and to State Government funding authorities. Participants and employers of our Participants are invited to complete the survey online.

LMA also participates in the National Participant Outcomes Survey managed by the National Centre for Vocational Education Research (NCVER). Participants may also receive a Participant outcomes survey from NCVER. More information about this survey can be found at www.ncver.edu.au/sos/faq.html.

21. LMA Contact Information

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