



Code of Practice

This Policy verifies that UIC agrees to operate ethically and within the principles and standards of the Australian Quality Training Framework. This includes a commitment to recognise the qualifications issued by other Registered Training Organisations.

1. Legislative Requirements

UIC shall comply with all regulatory requirements. In particular, compliance must be established for the following legislative and regulatory requirements:

- Hairdressers Act 2003
- Australian Quality Training Framework Standards (AQTF)
- Occupational Health and Safety Act (NSW) 2000
- Occupational Health and Safety Regulations (NSW) 2001
- Anti-Discrimination Act (NSW) 1977
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)
- Human Rights and Equal Opportunity Commissions Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Age Discrimination Act 2004
- Vocational Education and Training Act 2005 (NSW)
- Apprenticeship and Traineeship Act. 2001 (NSW).
- Education Services for Overseas Students (ESOS) Act 2000
- Education Services for Overseas Students (ESOS) Regulations 2001
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code)
- Education Services for Overseas Students (Registration Charges) Act 1997
- ESOS Assurance Fund Act
- Privacy Act 1988 (Commonwealth)
- Privacy (Private Sector) Regulations 2001 (Commonwealth)
- Privacy and Personal Information Protection Act 1998 (NSW)
- Commission for Children and Young People Act 1998
- Child Protection (Prohibited Employment) Act 1998
- Child Protection (Prohibited Employment) Regulation 2004
- Child Protection Legislation Amendment Act 2003

The CEO has the responsibility to monitor legislation and to advise of any changes.

For up to date changes and information on NSW or Federal legislation visit:

<http://www.legislation.nsw.gov.au/maintop/search/inforce>

<http://www.comlaw.gov.au>

The principle legislation is paraphrased below:

Occupational Health and Safety Policy

The NSW Occupational Health and Safety Act 2000 describes UIC's duty of care to provide a safe and healthy working environment for all staff, and the staffs duty of care to take reasonable care for the health and safety of others within the work place.

This includes the provision of:

- a workplace that is safe to work in, with working procedures that are safe to use,



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- adequate staff training including topics such as safe work procedures, infection control procedures and appropriate hygiene,
- properly maintained facilities and equipment,
- a clean and suitably designed work place with the safe storage of goods such as chemicals.

The following procedures and standards must be observed to achieve a safe working and learning environment:

- Maintain a safe, clean and efficient, working environment,
- Implement procedures and practices, in a variety of situation, in accordance with State and Local Government Health regulations,
- Store and dispose of waste according to health regulations,
- Clean walls, floor and working surfaces to meet health and safety standards without causing damage,
- Check all equipment for maintenance requirements,
- Refer equipment for repair as required,
- Store equipment safely,
- Identify fire hazards and take precautions to prevent fire,
- Safe lifting and carrying techniques maintained,
- Ensure Participant safety at all times,
- Ensure procedures for operator safety are followed at all times,
- All unsafe situations recognised and reported,
- Implement regular fire drills and provide first aid trained staff,
- Display first aid and safety procedures for all staff and students to see,
- Report any identified Occupational Health and Safety hazard to the appropriate staff member as required.

Harassment and Discrimination Policy

We are required under Australian law to ensure that we provide a workplace that is free from all forms of harassment and discrimination (including victimisation and bullying) so that all staff and students feel valued, respected and are treated fairly.

We will ensure that all of our staff understand their roles and responsibilities in creating such a workplace, by a process of training, communication, mentoring and by example. We will ensure all of our staff are aware of the processes and procedures for addressing any form of harassment or discrimination.

Staff and students should be aware of the following definitions:

'Bullying' - is unwelcome and offensive behaviour that intimidates, humiliates and/or undermines a person or group. Bullying involves a persistent pattern of behaviour over a period time and may include verbal abuse, physical assault, unjustified criticism, sarcasm, insult, spreading false or malicious rumours about someone, isolating or ignoring a person, putting people under unnecessary pressure with overwork or impossible deadlines, and sabotaging someone's work or their ability to do their job by not providing them with vital information and resources.

'Confidentiality' - refers to information kept in trust and divulged only to those who need to know.

'Discrimination' - is treating someone unfairly or unequally simply because they belong to a group or category of people. Equal opportunity laws prohibit discrimination on the grounds of sex, marital status, pregnancy, family responsibility, family status, race, religious beliefs,



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political conviction, gender history, impairment, age or sexual orientation. Victimisation is also treated as another ground of discrimination.

'Harassment' - is any unwelcome and uninvited comment or action that results in a person being intimidated, offended, humiliated or embarrassed. Equal opportunity laws prohibit harassment on the grounds of sex and race.

'Personnel' - refers to all staff/staff/contractors of Unique International College.

'Racial Harassment' - occurs when a person is threatened, abused, insulted or taunted in relation to their race, descent or nationality, colour, language or ethnic origin, or a racial characteristic. It may include derogatory remarks, innuendo and slur, intolerance, mimicry or mockery, displays of material prejudicial to a particular race, racial jokes, allocating least favourable jobs or singling out for unfair treatment.

'Sexual Harassment' - is any verbal or physical sexual conduct that is unwelcome and uninvited. It may include kissing, embracing, patting, pinching, touching, leering or gestures, questions about a person's private or sexual life, requests for sexual favours, smutty jokes, phone calls, emails, facsimiles or messages, offensive noises or displays of sexually graphic or suggestive material.

'Victimisation' - includes any unfavourable treatment of a person as a result of their involvement in an equal opportunity complaint. Unfavourable treatment could include: adverse changes to the work environment; denial of access to resources or work.

Specific principles

All staff and students have a right to work in an environment free of any form of harassment and discrimination,

- All reports of harassment and discrimination will be treated seriously, impartially and sensitively. Harassment and discrimination, including victimisation and bullying, is unwelcome, uninvited and unacceptable behaviour that will not be tolerated,
- When management is informed of any harassment or discrimination, it has the responsibility to take immediate and appropriate action to address it,
- In dealing with all complaints, the rights of all individuals should be respected and confidentiality maintained,
- Whenever possible, all complaints should be resolved by a process of discussion, cooperation and conciliation. The aim is to achieve an acceptable outcome while minimising any potential damage to our organisation,
- Both the person making the complaint, and the person against whom the complaint has been made, will receive information, support and assistance in resolving the issue,
- Victimisation is unacceptable and will not be tolerated. No person making a complaint, or assisting in the investigation of a complaint, should be victimised,
- Harassment or discrimination should not be confused with legitimate comment and advice (including feedback) given appropriately by management or trainers,
- Staff and students should not make any frivolous or malicious complaints. All staff and students are expected to participate in the complaint resolution process in good faith.

Privacy

UIC takes the privacy of our students very seriously and we will comply with all legislative requirements.



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These include the Privacy Act and National Privacy Principles (2008).

In some cases as required by law and as required by the AQTF we will need to make your information available to others. In all other cases we ensure that we will seek the written permission of the participant.

The ten Privacy Principles are defined below:

1. Collection - We will collect only the information necessary for one or more of our functions. The individual will be told the purposes for which the information is collected.
2. Use and disclosure - Personal information will not be used or disclosed for a secondary purpose unless the individual has consented or a prescribed exception applies.
3. Data quality – We will take all reasonable steps to make sure that the personal information we collect, use or disclose is accurate, complete and up to date.
4. Data Security – We will take all reasonable steps to protect the personal information we hold from misuse and loss and from unauthorised access, modification or disclosure.
5. Openness – We will document how we manage personal information and when asked by an individual, will explain the information we hold, for what purpose and how we collect, hold, use and disclose the information.
6. Access and correction - The individual will be given access to the information held except to the extent that prescribed exceptions apply. We will correct and update information errors described by the individual.
7. Unique Identifiers - Commonwealth Government identifiers (Medicare number or tax file number) will only be used for the purposes for which they were issued. We will not assign unique identifiers except where it is necessary to carry out our functions efficiently.
8. Anonymity - Wherever possible, we will provide the opportunity for the individual to interact with external agencies without identifying themselves.
9. Trans-border Data Flows - The individual's privacy protections apply to the transfer of personal information out of Australia.
10. Sensitive Information – We will seek the consent of the individual when collecting sensitive information about the individual such as health information, or information about the individual's racial or ethnic background, or criminal record.

Vocational Education and Training Requirements and Policies

These are described in more detail in the VET act (Vocational Education and Training Act 2005) but basically confirm the right of VETAB to audit UIC, apply penalties for non compliance, define the requirements to retain records and other administration and operational requirements of a functioning RTO etc.

Apprenticeships and Traineeships

UIC does not deliver traineeships (also known as "New Apprenticeships") and we will ensure that we comply with the Skilling Australia's Workforce Bill 2005 and Skilling Australia's Workforce (Repeal and Transitional Provisions) Bill 2005 and the NSW Apprenticeship and Traineeship Act. 2001.

These acts define our obligations to comply with Department of Education (DET) requirements for funding of the Apprenticeship Traineeship Training Program (ATTP) and Approved Provider List (APL) funding, including our reporting and other obligations.

Working with Children

UIC accepts domestic students under the age of 18.

AP 137 Code of Practice
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Responsibility: Chief Executive Officer
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UIC will comply with all Federal and State working with Children legislation such as the NSW Commission for Children and Young People Act 1998. Any of UIC staff who may be likely to be in contact with local students under the age of 18 will be required to have a working with children check completed. UIC will ensure that Risk management strategies are in place in case if there are some risk factors indicated by the job applicant's previous record shown by the employment screening unit or by the applicant's personal disclosure.

In addition to this it is UIC's policy to always have two people present (of a different sex) whilst interviewing or dealing with any student under the age of 18 in any part of the college campus at anytime other than a classroom environment.

A list of all relevant State based legislation is available from the Federal Police Website:

<http://www.aifs.gov.au/nch/policechecks.html>

Copyright Laws

All staff must comply with copyright laws. The Australian Copyright Council publishes Fact Sheets which are readily accessible by all staff at <http://www.copyright.org.au/publications/infosheets.htm> Infringement of copyright is not permissible. All staff should note the following conditions:

Certain dealings with copyright will not constitute an infringement, including:

- A reproduction that is a fair dealing under the Copyright Act 1968 (the Act), including a fair dealing for the purposes of research or study; or
- A reproduction that is authorised by the copyright owner.

It is a fair dealing to make a reproduction for the purposes of research or study, of one or more articles on the same subject in a periodical publication, or, in the case of any other work, of a reasonable portion of a work. In the case of a published work in hardcopy form that is not less than 10 pages and is not an artistic work, 10% of the number of pages, or one chapter, is a reasonable portion. In the case of a published work in electronic form only, a reasonable portion is not more than, in the aggregate, 10% of the number of words in the work.

2. Access and Equity

All students will be recruited in an ethical and responsible manner consistent with course requirements. All participant selection decisions will comply with Equal Opportunity Legislation.

UIC is committed to:

- providing equal opportunity and promoting inclusive practices and processes Consistent with Equal Opportunity Legislation
- providing a learning environment which is free from discrimination and harassment
- providing equal opportunity and promoting inclusive practices and processes for all students
- Integrating the principles of access and equity in its policies and procedures.
- Increase access for people from specific Student groups.

UIC has adopted the following principles:

- the participant recruitment and admission process is bias-free and non-discriminatory
- curriculum is inclusive of a range of participant needs
- the assessment process is fair, valid, reliable and consistent
- support is provided to those with special needs
- grievances are addressed in a fair and equitable manner



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- relevant professional development for staff.

3. Quality Management Focus

UIC has sound management practices to ensure effective Student service. In particular we have Student service standards to ensure timely issue of assessment results and qualifications. These will be appropriate to the competence achieved by students and will be issued in accordance with national guidelines.

Our quality focus includes a Recognition of Prior Learning Policy, a fair and equitable Refund Policy, a Complaints and Appeal Policy, an Access and Equity Policy and, where appropriate, participant welfare and guidance services. Where necessary, arrangements will be made for those Students requiring literacy and/or numeracy training to be referred to appropriate support programs. UIC will take every opportunity to ensure that this information is disseminated, understood and valued by personnel and candidates.

4. Student Service

Our participant information will ensure that all fees and charges are known to trainees before enrolment, that course content and assessment procedures are explained and that vocational outcomes are outlined.

5. External Review

UIC agrees to participate and cooperate in external monitoring and audit processes required by the registering bodies.

6. Management and Administration

UIC has policies and management strategies that ensure sound financial and administrative practices. Management guarantees the organisation's sound financial position and safeguards trainee fees until used for training/assessment. We have a Refund Policy that is fair and equitable. Trainee records are managed securely and confidentially and are available for trainee perusal on request. UIC has adequate insurance policies.

7. Advising Students and Stakeholders

The CEO will advise VETAB in the following conditions:

- a) Within 3 months of ceasing delivery and/or assessment in a location outside the state or territory of registration.
- b) Within 21 calendar days of:
 - a) appointing a new Chief Executive Officer or change of directors
 - i) NOTE: The new CEO is required to complete the statutory declaration under section 18(2) (e) of the Vocational Education and Training Act 2005.
 - b) commencing delivery and/or assessment outside of NSW.
 - c) change of legal name, address, business or trading name
 - d) ceasing to offer courses
 - e) becoming bankrupt or going into liquidation
 - f) selling or otherwise transferring the business.

UIC will give students sufficient notice (at least 3 weeks) of intent to relocate its premises. UIC will provide students with all relevant information to ensure the relocation is as smooth and confusing free as possible.

8. Marketing and Advertising

UIC will follow the marketing and advertising guidelines issued by the Registering bodies and will market our education and training products with integrity, accuracy and professionalism, avoiding vague and ambiguous statements. In the provision of information, no false or misleading comparisons are drawn with any other training organisation or training product.



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9. Training and Assessment

UIC will always have personnel with appropriate qualifications and experience to deliver the training and facilitate the assessment relevant to the training products offered. Assessment will meet the National Assessment Principles (including Recognition of Prior Learning and Credit Transfer). Adequate facilities, equipment and training materials will be available to ensure the learning environment is conducive to the success of trainees. The CEO will maintain a register of agreements made with organisations that provide training and/or assessment on behalf of UIC.

10. Issuance of Qualifications

UIC will issue qualifications and Statements of Attainment to students who meet the required outcomes of a qualification or unit of competency, in accordance with the AQTF implementation handbook. In cases where a company has enrolled an employee in a course and the employee subsequently leaves the company, UIC will return all original course materials and Certificates to the company and send copies to the participant.

11. Sanctions

UIC will honour all guarantees outlined in this Code of Practice. We understand that if we do not meet the obligations of this Code or supporting regulatory requirements, we may have our registration as a Registered Training Organisation withdrawn.

12. Information and Support Services

UIC will provide students with timely and accurate details of:

- Course information;
- Costs;
- Refund policy;
- Competency standards;
- Learning outcomes;
- Assessment criteria;
- Assessment results; and
- Complaints procedures and avenues of appeal.

UIC will provide students with full support during the course, including (where appropriate) telephone advice and a fax service for the submission or return of assignments.