



# F A Q ' S

Last Updated:

1/04/2013

## Frequently Asked Questions

We have had a number of questions asked by potential clients and students and have decided to list some of these along with the answers we have provided for "Quick" access and response. These answers are to be utilised as "advise" only and are not legal responses or advise.

### 1. Q) Is this the right course, is it the one I need ?

1. A) Active TEC has a range of courses available on our scope, in general most of our courses are "Short Courses" or Units of Competency. We cannot answer this question with any certainty as we do not know which will be the "Right" course for you in relation to "your" desired outcome. It shall remain the student's responsibility to conduct their own research to assure the course being offered is the one they desire ! Once you are sure, you are free to enrol for the course you desire, we will assure you are provided adequate training and assessment to assure that, once you graduate a course you are competent to carry out the criteria identified.

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### 2. Q) I am interested in OH&S training and would like to know the "difference" between an "Elected" Health and Safety Rep and an "Appointed" Health and Safety Rep, can you help?

2. A) Yes, An "Elected" Health and Safety Representative is a person who has been voted for, by members of a "Designated Work Group" (DWG). In short, the Victorian OHS Act 2004 provides for participation of employers and employees in decisions on OHS, any employee or group of employees may ask their employer to establish a DWG, negotiations must commence within 14 days of an "Official" request. Once formed the members of the DWG (the employees) are entitled to vote in an election to decide on a representative, it is this "Elected" Representative that acts as a communication conduit between the Employer and Employees.

*\* Note\* Employers are not allowed to vote or select the person who will become an "Elected" Representative !*

The "Elected" Representative must attend a training course that is recognised by the "Authority" and the course must not establish "Competencies" as the "ACT" does not impose any "function or duty" on the HSR other than those sections of the act that would generally apply. The course is not nationally recognised and the HSR will only be granted a "Certificate of Attendance" once their training course is complete.

The "Appointed" Representative is a person that has been selected or approached by the employer and is willing to be part of the management team directly involved in establishing and maintaining Safe Work Systems and, a Safe Work Place .

There are a number of sections in the "ACT" that compel the employer, its staff, contractors and visitors to exercise a "Duty of Care" and it is the employer "Appointed" OHS Rep/s that accept a responsibility to assist in achieving outcomes that bring about compliance in the work environment.

The "Appointed" Representative has "functions and duties" and will also hold relevant "Competencies" such as those provided by Nationally Recognised Units of Competence, Certificates, Diplomas and Advanced Diplomas to name a few. This is the main reason the "Authority Accredited" course is generally considered "insufficient" for Company Appointed Representatives.

The individual who is appointed often has the opportunity to further their career as their certification is recognised by the "VET" system and recognised prior learning (RPL) is easily applied to a unit or certificate that has "national" recognition.

*\*Note\* Added 6/04/2012 In discussions completed with a "worksafe" representative today it is mutually recognised that there is a benefit to reserving the term "Representative" for the "Elected Health and Safety Rep" (HSR) and that Appointed Representatives would be identified as Appointed Health and Safety Officers (HSO).*

#### In Summary

Therefore "Elected" Reps (HSR'S) are employees with "No assigned Function or Duties" and "Appointed" Reps (HSO's) have clear functions and duties and national recognised certificates and competencies.

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### 3. Q) A friend told me you can get "RPL" prior to doing a course and that this means I may not have to complete the whole course, what is RPL?

3. A) A person applying for a course may ask the "Training Organisation" to consider previous training, certifications, practical skills and abilities as "Evidence" certain criteria has been met. If the applicant can provide "evidence" and it is able to be validated the "Training Organisation" may be in a position to remove or reduce the applicant's requirement to attend the course through "Recognised Previous Learning" (RPL). RPL would generally be "applied" for by the applicant "prior" to commencing a desired training course to give the organisation time to "validate" the evidence provided.

Registered Training Organisations "must" recognise any "validated" evidence and examine this evidence against the desired course criteria to determine if the student has "satisfied" any part of that course, its modules or elements.

The organisation will be within its "rights" to charge the applicant for the RPL process and this is generally on top of the advertised course fee. There are no guarantees that the evidence that you present will satisfy the criteria, certificates requiring periodic renewals may not be accepted as adequate evidence (for example). It is also important to consider that missing part of a training course may in fact disadvantage the student therefore it often benefits the student to complete the "whole" course, perhaps even to act as a refresher or update on the subject.

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**4.Q) If I pay my money for a course and fail the test do they have to give me my money back or, let me do it again for free?**

4. A) In fact this will depend on the organisations policy in relation to "Fees and Course Reattendance". Your question suggests that the training organisation is obligated to "either" return your money or provide access to another training session, this is an incorrect assumption. You should be able to access the training organisations policy and procedure in relation to re attendance and refunds by asking the trainer or the person at the reception desk for a copy. These items are also displayed in the organisations "Student Services Guide" or available on their website for public viewing.
- The training organisation has a vested interest in assisting its students and will usually be keen to discuss re attendance to either a course or perhaps the "Test" session alone. It is not unusual to find that there is a "reduced" fee charged "in addition" to the course fee already paid that must be paid to the training organisation prior to students re-attending courses or assessment sessions.
- We suggest that you become familiar with the full set of fees, terms and conditions offered by a training organisation "prior to" selecting and attending a training course.
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**5.Q Is the OHS course "Monitor a Safe Workplace" a certificate 3 in OHS, and is this the course needed to apply for commercial builders registration?**

- 5.A) The course "Monitor a Safe Workplace" (BSBOHS407A) is a "nationally" recognised unit of competence and is presented by Active TEC over a 40 hour period.
- It is not a Certificate 3 in OHS, certificate courses such as Certificate 3 in OHS are made up of approx 7 core units and 5 elective units which is usually delivered over a period of 180 - 200 hours.

**Is the 40 Hour Course the right course for Builders Registration applications?**

We are pleased to advise that Active TEC has received confirmation from the Building Commission that the 40 hr OHS Course - Monitor a Safe Workplace is one of the course accepted for both limited and unlimited builders registration applications.

This is consistent with "Section 170 (5) " of the Building Act 1993.

- \* New Note\* 01/04/2013 The Course "Monitor a Safe Workplace" has now been superceded by the Unit " Implement and Monitor WHS policies, procedures and programs to meet legislative requirements" (BSBWHS401A)