

Guidelines for VET Providers



Victorian
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Authority





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Introduction

Authority

The Victorian Registration and Qualifications Authority (VRQA) Guidelines for Vocational Education and Training (VET) Providers (the Guidelines) are issued under section 4.3.18A of the *Education and Training Reform Act 2006* (the Act) in response to the Ministerial Direction— Standards for Registered Training Organisations (Instrument No. MD146).

Commencement

A person or organisation applying to register as a new Registered Training Organisation (RTO) will be required to comply with these Guidelines from 1 January 2016.

All RTOs registered before 1 January 2016, will be required to comply with these guidelines from 1 April 2016.

Purpose

The Guidelines purpose is to ensure the quality of training and assessment services in Victoria reflects a nationally consistent approach to VET regulation. The Guidelines align Victoria's regulatory settings to the national *Standards for Registered Training Organisations 2015*.

The Guidelines supersede all previous VRQA guidelines for VET providers and have been developed with reference to the relevant regulatory standards for RTOs in Victoria, set out in the following documents:

- Australian Quality Training Framework (AQTF), including both the AQTF Essential Conditions and Standards for Initial and Continuing Registration
- Standards for RTOs 2015
- Standards for VET Regulators 2015.

The Guidelines are divided into the following five parts:

- Guideline 1— Governance, financial viability and management systems
- Guideline 2— Transparency and oversight of third parties
- Guideline 3— Trainer and assessor qualifications
- Guideline 4— Delivery of training and assessment services
- Guideline 5— Annual declaration of compliance

Guideline 1

Governance, financial viability and management systems

This Guideline ensures that students can be confident that only VET providers that have appropriate educational governance arrangements and demonstrated management capacity have been registered to provide VET services.

1.1 An RTO must ensure that it has a current strategic plan and a detailed business plan which have been approved by its governing body.

- a. The strategic plan must detail the overall vision, mission, board of directors and strategic directions of the RTO and clearly indicate that provision of vocational education is a primary purpose of the RTO.
- b. The business plan must detail the operational and workforce development arrangements for a three year period that incorporates:
 - i. description of the business including an organisation chart, courses, location(s) and facilities
 - ii. a continuous improvement plan or risk management strategy
 - iii. a work force development plan
 - iv. strategic alliances with other education or service providers or third party arrangements
 - v. training and assessment delivery including proposed facilities and delivery hours.

1.2 An RTO must demonstrate its financial viability and its capacity to sustain quality VET operations into the future by ensuring it has a three year financial plan that includes:

- a. projected student enrolments by qualifications
- b. range of financial indicators, including:
 - i. cash flow
 - ii. current ratio of total current assets versus total current liabilities (equal to or greater than 1)
 - iii. debt ratio total liabilities/total assets (equal to or less than 1)
- c. the VET provider shows that it has a financial guarantor with the capacity to service the guarantee and/or to demonstrate sufficient working capital to operate for at least six months without tuition fees
- d. details about whether any person involved in the management or provision of courses by the RTO meets any of the descriptions listed in section 4.3.11(2) of the Act.

1.3 An RTO must ensure that it has management systems that include:

- a. management information including:
 - i. details of company incorporation in Australia (alternatively evidence of being an incorporated body in receipt of government funds)
 - ii. a physical address of the company in Victoria for the purposes of serving notices
 - iii. details of the directors, chief executive officer (CEO)/principal executive officer (PEO) and senior management members with associated police checks and Working With Children Checks if students are under 18 years of age
 - iv. confirmation that at least one director or CEO/PEO has his/her principal residence in Victoria
 - v. contact arrangements for the CEO/PEO including during holidays and other closure periods
 - vi. a physical addresses for the location of financial, student and staff records including archives and computer back up storage
- b. a financial management system including a system for managing student fee payments and student refunds

- c. a student records management system that includes the capacity to provide the VRQA with the Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) compliant data and to ensure that copies of student records are:
 - i. not able to be withheld from the RTO; and
 - ii. able to be provided in electronic and print versions, at no cost to the VRQA in the event that the VET provider ceases operations
- d. a staff records management system including arrangements which ensure that for each staff member involved in training and assessment, the RTO holds verified documentation indicating each staff member's qualification and skills.

1.4 An RTO must ensure that it has appropriate governance structures that include:

- a. transparent governance and ownership arrangements, such as a Board of Directors, governing council, executive management and academic management
- b. a governance structure that includes appropriate appointments of persons for oversight of academic/educational integrity and quality assurance, such that:
 - i. for an RTO with anticipated ongoing operation of less than 150 equivalent full time students or an annual student fee turnover of less than \$1.5 million per annum, persons are appointed with suitable qualifications and experience; and
 - ii. for all other RTOs, a governance committee is established that includes individuals who are independent of the RTO's ownership and are employed with suitable qualifications and experience
- c. a CEO/PEO and members of the RTO's senior management team with appropriate qualifications and educational experience.

Guideline 2

Transparency and oversight of third parties

This Guideline ensures that students are aware of and can be confident that VET providers have appropriate arrangements with third parties.

2.1 An RTO must ensure that where services are provided on its behalf by a third party, the provision of those services is the subject of a written agreement:

- a third party means any party that provides services on behalf of the RTO but does not include a party to a contract of employment with the RTO
- services mean training, assessment, related educational or support services and/or any activities related to the recruitment of prospective students, but does not include student counselling, mediation or information and communications technology (ICT) support services.

2.2 An RTO must ensure that any third party delivering services on its behalf is required, under a written agreement, to cooperate with the VRQA:

- a. by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services; and
- b. for the purposes of the conduct of any audit or monitoring of its operations.

2.3 An RTO must notify the VRQA of any written agreement entered into under Guideline 2.2 for the delivery of services on its behalf:

- a. within 30 calendar days of the agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first; and
- b. within 30 calendar days of the agreement coming to an end.

2.4 An RTO must ensure that information, whether disseminated directly by an RTO or by another party on its behalf, is both accurate and factual, including by:

- a. clarifying whether a third party is recruiting prospective students for an RTO on its behalf; and
- b. distinguishing where it is delivering training and assessment on behalf of another RTO or where training and assessment is being delivered on its behalf by a third party.

2.5 Prior to the enrolment of students or the commencement of training and assessment, whichever comes first, an RTO must provide, in print or through referral to an electronic copy, current and accurate information that:

- a. enables the student to make informed decisions about undertaking training with the RTO; and
- b. (at a minimum) includes the name and contact details of any third party that will provide training/assessment, and related educational and support services to the student on an RTO's behalf.

2.6 Where there are any changes to agreed services, an RTO must advise the student of those changes as soon as practicable, including in relation to any relevant changes to existing or new third party arrangements or changes in ownership.

2.7 An RTO must have a complaints policy to manage and respond to allegations involving the conduct of:

- a. the RTO, its trainers, assessors or other staff
- b. a third party providing services on the RTO's behalf, its trainers, assessors or other staff
- c. a student of the RTO.

2.8 An RTO must have an appeals policy to manage a request for the review of a decision, including an assessment decision, made by an RTO or a third party providing services on the RTO's behalf.

Guideline 3

Trainer and assessor qualification, including individuals working under the supervision of a trainer

This Guideline ensures that students are aware of and can be confident that VET providers have appropriate trainers and assessors and there is high quality delivery of training and assessment courses.

Trainer and assessor requirements

3.1 In addition to the requirements specified in Guidelines 3.2 and 3.3, an RTO's training and assessment must be delivered only by persons who have:

- a. vocational competencies at least to the level being delivered and assessed;
- b. current industry skills directly relevant to the training and assessment being provided; and
- c. current knowledge and skills in vocational training and learning that informs their training and assessment.

Industry experts may also be involved in the assessment judgement, working alongside the trainer and/or assessor to conduct the assessment.

3.2 An RTO's training and assessment must be delivered only by persons who have the qualifications specified in Item 1 or Item 2 of Schedule 1 of these Guidelines.

3.3 Where a person conducts assessment only, an RTO must ensure that the person has the qualification specified in Item 2 of Schedule 1 of these Guidelines.

Individuals working under the supervision of a trainer

3.4 Where the RTO, in delivering training and assessment, engages an individual who is not a qualified trainer/assessor, the individual must work under the supervision of a qualified trainer/assessor and must not determine assessment outcomes.

3.5 An RTO must ensure that any individual working under the supervision of a trainer:

- a. holds the skill set defined in Item 4 of Schedule 1 of these Guidelines;
- b. has vocational competencies at least to the level being delivered and assessed; and
- c. has current industry skills directly relevant to the training and assessment being provided.

Guideline 4

Delivery of training and assessment services

This Guideline has been designed to ensure that students are aware of and can be confident of the quality of VET providers that deliver quality training and assessment services.

Amount of Training

4.1 An RTO's training and assessment strategies and practices, including the amount of training it provides, must be consistent with the requirements of the training packages and VET accredited courses and enable each student to meet the requirements for each unit of competency or module in which the student is enrolled.

4.2 For the purposes of Guideline 4.1, an RTO must determine the amount of training it provides to each student with regard to:

- a. the existing skills, knowledge and the experience of the student;
- b. the mode of delivery; and
- c. where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification.

Training and Assessment courses

4.3 From 1 January 2016, to deliver any Australian Qualifications Framework (AQF) qualification or assessor skill set from the Training and Education Training Package (or its successor), an RTO must have undergone an independent validation of its assessment system, tools, processes and outcomes in accordance with the requirements contained in Schedule 2 (and the definitions of independent validation and validation) of these Guidelines.

4.4 From 1 January 2016, to deliver any AQF qualification or skill set from the Training and Education Training Package (or its successor), an RTO must ensure that all trainers and assessors delivering the training and assessment hold the training and assessment qualification at least to the level being delivered.

4.5 From 1 January 2017, to deliver the training and assessment qualification specified in Item 1 of Schedule 1 of these Guidelines, or any assessor skill set from the Training and Education Training Package (or its successor), an RTO must ensure all trainers and assessors delivering the training and assessment:

- a. hold the qualification specified in Item 5 of Schedule 1 of these Guidelines; or
- b. work under the supervision of a trainer that holds the qualification specified in Item 5 of Schedule 1 of these Guidelines.

4.6 An RTO must ensure that any individual working under supervision holds the qualification specified in Item 4 of Schedule 1 of these Guidelines and does not determine assessment outcomes.

4.7 An application to add any AQF qualification or assessor skill set from the Training and Education Training Package (or its successor) to an RTO's scope of registration will only be granted if an RTO has:

- a. held registration for at least two years continuously at the time of adding the qualification and/or skill set to scope; and
- b. from 1 January 2016, undergone an independent validation of its assessment system, tools, processes and outcomes in accordance with Guideline 4.3.

Guideline 5

Annual declaration of compliance

This Guideline ensures that VET providers undertake an annual self-compliance check of existing regulatory requirements. It includes reference to the AQTF which includes conditions and standards that Victorian RTOs are required to comply with under the *Education and Training Reform Act 2006* (available on the VRQA website).

5.1 An RTO registered with the VRQA must provide an annual declaration of compliance with the AQTF Essential Conditions and Standards for Continuing Registration (the AQTF Standards) and these Guidelines, and in particular whether it:

- a. currently meets the requirements of the AQTF Standards and these Guidelines across all of its existing scope of registration; and
- b. has met the requirements of the AQTF Standards for all AQF certification documentation which it has issued in the previous 12 months; and
- c. has training and assessment strategies and practices in place that ensure that all current and prospective students are or will be trained and assessed in accordance with the requirements of the AQTF Standards and these Guidelines.

Schedule 1

Item	Guidelines	AQF Qualification or Unit of Competency
1.	3.2–3.3	<p>Trainers and Assessors</p> <p>On or prior to 31 March 2019, must hold one of the following:</p> <ul style="list-style-type: none"> • TAE40110 – Certificate IV in Training and Assessment (or its successor) • a diploma or higher level qualification in adult education. <p>From 1 April 2019, must hold one of the following:</p> <ul style="list-style-type: none"> • TAE40116 – Certificate IV in Training and Assessment (or its successor) • TAE40110 – Certificate IV in Training and Assessment, and one of the following: <ul style="list-style-type: none"> • TAELLN411 – Address adult language, literacy and numeracy skills (or its successor) • TAELLN401A – Address adult language, literacy and numeracy skills, <p>and one of the following:</p> <ul style="list-style-type: none"> • TAEASS502 – Design and develop assessment tools (or its successor) • TAEASS502A – Design and develop assessment tools • TAEASS502B – Design and develop assessment tools. <ul style="list-style-type: none"> • A diploma or higher level qualification in adult education.
2.	3.2–3.3	<p>Assessors (anyone who provides assessment but not training)</p> <p>On or prior to 31 March 2019, must hold one of the following:</p> <ul style="list-style-type: none"> • TAESS00011 – Assessor Skill Set (or its successor) • TAE40110 – Certificate IV in Training and Assessment (or its successor) • a diploma or higher level qualification in adult education. <p>From 1 April 2019, must hold one of the following:</p> <ul style="list-style-type: none"> • TAESS00011 – Assessor Skill Set (or its successor) • TAESS00001 – Assessor Skill Set, and one of the following: <ul style="list-style-type: none"> • TAEASS502 – Design and develop assessment tools (or its successor) • TAEASS502A – Design and develop assessment tools (or its successor) • TAEASS502B – Design and develop assessment tools • TAE40116 – Certificate IV in Training and Assessment (or its successor) • TAE40110 – Certificate IV in Training and Assessment, and both the following: <ul style="list-style-type: none"> • TAELLN411 (or its successor) or TAELLN401A • TAEASS502 (or its successor) or TAEASS502A or TAEASS502B • a diploma or higher level qualification in adult education.
3.	3.3	As per item 2.
4.	3.5	Persons working under supervision

Item	Guidelines	AQF Qualification or Unit of Competency
		<p>On or prior to 31 March 2019, must hold one of the following:</p> <ul style="list-style-type: none"> • TAESS00007 – Enterprise Trainer Presenting Skill Set (or its successor) • TAESS00008 – Enterprise Trainer – Mentoring Skill Set. • TAESS00013 – Enterprise Trainer – Mentoring Skill Set (or its successor). • TAESS00003 – Enterprise Trainer and Assessor Skill Set. <p>From 1 April 2019, must hold one of the following:</p> <ul style="list-style-type: none"> • TAESS00007 – Enterprise Trainer – Presenting Skill Set • TAESS00014 – Enterprise Trainer – Presenting Skill Set (or its successor) • TAESS00008 – Enterprise Trainer – Mentoring Skill Set • TAESS00013 – Enterprise Trainer – Mentoring Skill Set or its successor • TAESS00003 – Enterprise Trainer and Assessor Skill Set • TAESS00015 – Enterprise Trainer and Assessor Skill Set (or its successor).
5.	4.5	<p>Persons delivering the Training and Education Training Package</p> <ul style="list-style-type: none"> • TAE50111 – Diploma of Vocational Education and Training. • TAE50116 – Diploma of Vocational Education and Training (or its successor). • TAE50211 – Diploma of Training Design and Development (or its successor). • TAE50216 – Diploma of Training Design and Development (or its successor). • A higher level qualification in adult education.

Schedule 2

Independent validation requirements for an RTO delivering training and assessment qualifications or assessor skill sets from the Training and Education Training Package (or its successor).

For the purposes of Guideline 4.3, the requirements for independent validation will apply as follows:

- a. For an RTO applying to extend its scope of registration to include the delivery and assessment of an AQF qualification or assessor skill set from the Training and Education Training Package (or its successor), validation is of:
 - i. the RTO's assessment tools, processes and outcomes in relation to other AQF qualifications and/or units of competency on its scope of registration, as directed by the VET Regulator; and
 - ii. the assessment system to be adopted in the delivery of the training and assessment qualification or assessor skill set.
- b. For an RTO where its scope of registration includes the delivery and assessment of an AQF qualification or assessor skill set from the Training and Education Training Package (or its successor), validation is of:
 - i. the assessment system for delivery of the training and assessment qualification or assessor skill set; and
 - ii. the RTO's assessment tools, processes and outcomes in relation to the training and assessment qualification or assessor skill set.

For the purposes of Guideline 4.3, independent validation of AQF qualifications or the assessor skill set from the Training and Education Training Package (or its successor) must be conducted by one or more persons who collectively have:

- a. current knowledge and skills in vocational teaching and learning; and
- b. the training and assessment qualification or assessor skill set at least to the level being validated.

Schedule 3

Mapping of the proposed national Standards for RTOs 2015 to the Guidelines.

	National Standard	Standard	Guideline
Governance, financial viability and Management systems	Standards for RTOs 2015	7.2	1.1–1.4
Trainer and assessor qualifications	Standards for RTOs 2015	1.13	3.1
		1.14	3.2
		1.15	3.3
Individuals working under the supervision of a trainer	Standards for RTOs 2015	1.17	3.4
		1.18	3.5
Transparency and oversight of third party arrangements	Standards for RTOs 2015	2.3	2.1
		4.1(e)(f)	2.4
		5.2(b)(iv)	2.5
		5.4	2.6
		6.1	2.7
		6.2	2.8
		8.2	2.2
		8.3	2.3
Amount of training	Standards for RTOs 2015	1.1	4.1
		1.2	4.2
Independent validation of training and assessment qualifications	Standards for RTOs 2015	1.25	4.3
Approval for Training and Education (TAE) qualifications	Standards for VET Regulators 2015	1.5	4.7
Trainer and assessor qualifications for delivering training and assessment qualifications	Standards for RTOs 2015	1.21	4.4
		1.23	4.5
		1.24	4.6
Annual declaration of compliance	Standards for RTOs 2015	8.4	5.1

Schedule 4

Glossary of key terms

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.

Assessment system is a coordinated set of documented policies and procedures (including assessment materials and tools) that ensure assessments are consistent and are based on the Principles of Assessment and the Rules of Evidence.

Australian Qualifications Framework (AQF) means the framework for regulated qualifications in the Australian education and training system, as agreed by the Commonwealth, State and Territory ministerial council with responsibility for higher education.

AQF certification documentation is the set of official documents that confirms that an AQF qualification or statement of attainment has been issued to an individual.

AQF qualification means an AQF qualification type endorsed in a training package or accredited in a VET accredited course.

Current industry skills are the knowledge, skills and experience required by VET trainers and assessors and those who provide training and assessment under supervision to ensure that their training and assessment is based on current industry practices and meets the needs of industry.

Current industry skills may be informed by consultations with industry and may include, but is not limited to:

- a. having knowledge of and/or experience using the latest techniques and processes
- b. possessing a high level of product knowledge
- c. understanding and knowledge of legislation relevant to the industry and to employment and workplaces
- d. being customer/client-oriented
- e. possessing formal industry and training qualifications
- f. training content that reflects current industry practice.

Educational and support services may include, but are not limited to:

- a. pre-enrolment materials
- b. study support and study skills programs
- c. language, literacy and numeracy programs or referrals to these programs
- d. equipment, resources and/or programs to increase access for students with disabilities and other students in accordance with access and equity
- e. learning resource centres
- f. mediation services or referrals to these services
- g. flexible scheduling and delivery of training and assessment
- h. counselling services or referrals to these services
- i. ICT support
- j. learning materials in alternative formats, for example, in large print
- k. learning and assessment programs contextualised to the workplace
- l. any other services that an RTO considers necessary to support students to achieve competency.

Independent validation means that the validation is carried out by a validator or validators who:

- a. are not employed or subcontracted by an RTO to provide training and assessment; and
- b. have no other involvement or interest in the operations of an RTO.

Industry means the bodies that have a stake in the services provided by an RTO. These can include, but are not limited to:

- a. enterprise/industry clients, e.g. employers
- b. group training organisations
- c. industry organisations
- d. industry regulators
- e. industry skills councils or similar bodies
- f. industry training advisory bodies
- g. unions.

Services mean training, assessment, related educational and support services and/or any activities related to the recruitment of prospective students. It does not include services such as student counselling, mediation or ICT support.

Student means a person being trained and/or assessed by an RTO for the purpose of issuing AQF certification documentation.

Third party means any party that provides services on behalf of an RTO but does not include a contract of employment between an RTO and its employee.

Training and assessment strategies and practices are the approach of, and method adopted by, an RTO with respect to training and assessment designed to enable students to meet the requirements of the training package or accredited course.

Training package means the components of a training package endorsed by the Industry and Skills Council or its successor, to meet the needs of an industry or a group of industries, in accordance with the Standards for Training Packages. The endorsed components of a training package are: units of competency; assessment requirements (associated with each unit of competency); qualifications; and credit arrangements. The endorsed components form part of the requirements than an RTO must meet under these Guidelines. A training package also consists of a non-endorsed, quality assured companion volume/s which contains industry advice to RTOs on different aspects of implementation.

Training and Education (TAE) Training Package means the training package that contains the TAE qualifications (AQF qualifications) as listed on the national register of information on training packages found at www.training.gov.au.

Unit of competency means the specification of the standards of performance required in the workplace as defined in a training package.

Validation is the quality review of the assessment process. Validation involves checking that the assessment tool/s produce/s valid, reliable, sufficient, current and authentic evidence to enable reasonable judgements to be made as to whether the requirements of the training package or VET accredited courses are met. It includes reviewing a statistically valid sample of the assessments and making recommendations for future improvements to the assessment tool, process and/or outcomes and acting upon such recommendations.

Vocational Education and Training accredited course means a course accredited by the VRQA, Australian Skills Quality Authority (ASQA) or the Training Accreditation Council Western Australia (TACWA).