



USERS' GUIDE

Standards for Registered
Training Organisations **2015**

Version 3

Date: 1 March 2024

This is version 3 of this guide; information on previous versions is available from wa.gov.au/tac

Contact the Training Accreditation Council:

P: (08) 9224 6510 (Monday to Friday, 8.30 am – 4.30 pm)

E: tac@dtwd.wa.gov.au

W: wa.gov.au/tac

Disclaimer

- This document has no legal status or legal effect whatsoever unless expressly provided for in the *Vocational Education and Training (General) Regulations 2009*.
- This document is not part of the *Standards for Registered Training Organisations (RTOs) 2015 (the Standards)*. The purpose of this document is to provide general guidance. This document is not meant to be exhaustive in its coverage of rights or obligations arising under any law.
- The information contained in this document may be affected by changes to legislation. The Training Accreditation Council accepts no responsibility for the accuracy, completeness or currency of the material included.
- Users of these materials are encouraged to obtain professional advice in respect of any applicable legislation and to exercise their own skill and care in relation to the material contained in this document.
- The Training Accreditation Council disclaims any and all liability or responsibility for any loss or damages arising out of any use of, or reliance on, this document.

This User Guide reflects the current version of the Standards, being **Compilation No. 4 dated 5 September 2023** and incorporates the ***Standards for Registered Training Organisations Amendment (VET Workforce Support) Instrument 2024***.

The digital version of this document is current as at 1 March 2024 to reflect interim changes to the Standards.

Acknowledgement of Country:

The Training Accreditation Council acknowledges Aboriginal people as the first sovereign Nations of Western Australia. We acknowledge their ancestral ties to the land and spiritual connection to Country. We acknowledge Elders both past and present, and value the contribution of Aboriginal people within our organisation.

Contents

Contents.....	iii
The TAC Regulatory Framework.....	4
About the <i>Standards for Registered Training Organisations (RTOs) 2015</i>	4
Standard One: Responsive to industry and learner needs.....	9
Standard Two: Quality assurance.....	64
Standard Three: Secure and accurate certification	72
Standard Four: Accessible information about services.....	81
Standard Five: Informed and protected learners.....	89
Standard Six: Fair complaints handling	96
Standard Seven: Effective governance and administration	102
Standard Eight: Legal compliance	114

The Training Accreditation Council acknowledges the contribution of the Australian Skills Quality Authority (ASQA) in the development of this guide.

The TAC Regulatory Framework

TAC operates within a national and state VET regulatory framework defined in a set of standards and policies aimed at achieving national consistency in the way RTOs are registered and monitored and to ensure the integrity of nationally recognised training products. The framework comprises the:

- *Vocational Education and Training Act 1996*
- *Vocational Education and Training (General) Regulations 2009*
- *Standards for VET Regulators 2015*
- *Standards for Registered Training Organisations (RTO) 2015*
- Australian Quality Training Framework (AQTF) AQTF2021
- Standards for Accredited Courses
- Australian Qualifications Framework (AQF)
- Fit and Proper Person Requirements
- Data Provision Requirements, and
- Financial Viability Assessment Guidelines for the Registration of Training Providers 2017 (WA Ministerial Guidelines).

About the *Standards for Registered Training Organisations (RTOs) 2015*

THE STANDARDS FOR REGISTERED TRAINING ORGANISATIONS

The responsibility for the quality of Vocational Education and Training (VET) primarily rests with RTOs and the key mechanism to maintain quality in VET is through an agreed set of standards. RTOs in Australia are responsible for ensuring they fully comply with the Standards at all times as a condition of their registration.

PURPOSE OF THE STANDARDS

In Western Australia, the Standards are enabled by the *Vocational Education and Training Act 1996* [WA].

The purpose of the Standards is to:

- describe the requirements that an organisation must meet in order to be an RTO
- ensure that the training products delivered by RTOs meets the requirements of the training product and has integrity for employment and further study, and
- ensure RTOs operate ethically and consider the needs of both learners and industry.

The Standards describe outcomes RTOs must achieve, but do not prescribe methods to achieve these outcomes. It recognises that each RTO is different and will operate in a way that suits its clients and learners. RTOs take a multitude of forms, including large TAFE colleges; enterprise RTOs that only train their employees; community-based providers; private colleges and RTO schools. These organisations are diverse in size, structure,

governance, scope, and quantity of services provided. By describing outcomes rather than inputs, the Standards encourage flexibility and innovation while assuring the quality of training.

HOW THE STANDARDS FOR RTOs SUPPORT THE JOB-READINESS OF VET GRADUATES

Industry expectations of the required skills and knowledge of VET graduates are expressed in national training packages and VET accredited courses (training products). The Standards mandate that RTOs meet these requirements through training and assessment strategies and practices that develop and demonstrate a learner's skills and knowledge. The RTO's training and assessment practice should allow learners the opportunity and time to develop and practice these skills in a realistic and meaningful way.

The Standards require an RTO conducts rigorous assessment to ensure learners:

- have absorbed the knowledge
- developed the skills, and
- can combine skills and knowledge to perform in the workplace to expected industry standards as expressed in the training package or accredited course.

To ensure VET graduates are job-ready and meet the expectations of industry, the Standards also require RTOs to engage with industry when developing training and assessment strategies and ensure that their trainers and assessors hold current industry skills and knowledge.

Quality training and assessment depends on the skills and knowledge of the RTO's trainers and assessors. Therefore, high quality delivery of trainer and assessor qualifications is vital. The Standards require that RTOs and individuals delivering trainer and assessor qualifications meet this high standard. In addition, the Standards specify that all trainers and assessors are skilled VET practitioners with current industry skills and knowledge. While the Standards allow flexibility in how industry skills and knowledge are demonstrated, they set clear expectations about the VET competencies that must be held. This requirement ensures employers, and industry more broadly have confidence in the qualifications being awarded as the training and assessment is being:

- conducted by vocational experts who understand the requirements of industry and the standard expected in the workplace **and**
- by VET practitioners who are experts in the delivery of training and conducting assessment and ensure that learners have met all the requirements of the training product for which they are enrolled.

BENEFITS OF A QUALITY VET SECTOR

BENEFITS	
Learners	Learners have the greatest stake in the quality of VET as they often rely on VET qualifications to gain employment or career advancement. Learners must be able to make informed choices about the training that best meets their needs and the needs of prospective employers, and that they will receive quality training and assessment.
Industry/ employers	Employers rely on RTOs to provide relevant skills and knowledge to both new entrants and existing workers. An RTOs strong engagement with industry ensures training and assessment is relevant to the needs of employers and that graduates are job ready.
Governments	The Commonwealth, state and territory governments have shared responsibility for VET and are significant purchasers of VET through public funding programs. The Standards represent the expectations governments place on RTOs and provide confidence to invest in training.
Community	The Standards give the community confidence that RTOs are delivering quality training and assessment that is highly regarded.
Providers	RTOs are dependent on the value that stakeholders place on the Australian VET sector. The Standards provide rigorous outcomes that allow for flexibility in delivery that encourages innovation and responsiveness, while ensuring quality standards are met.

STRUCTURE OF THE STANDARDS

TAC aims to regulate the VET sector through an approach that minimises regulatory burden and maximises transparency. The Standards describe outcomes, allowing RTOs to comply in a way that best suits their organisation and their learners.

Each standard consists of:

- the standard itself, which provides a succinct statement about the required outcomes of that standard
- a context statement, which provides background information to aid understanding but is not part of the standard itself and does not describe any compliance requirements
- one or more clauses that describe the outcomes an RTO is required to achieve to comply with that standard, and
- for an RTO to comply with the Standard, it must fully comply with all the clauses in the Standard relevant to its operations.

The Standards also include a glossary (refer to Appendix 1). Where a word is defined in the glossary, it has that defined meaning regarding the Standards. As the Glossary is a part of the Standards, adherence to the defined meaning is a compliance requirement.

ABOUT THIS GUIDE

This Guide is intended for use by those applying to become an RTO, existing RTOs, auditors and other regulatory or compliance staff. It may also be of interest to specific VET stakeholders, including learners, trainer/assessors, RTO managers, industry and employers, and third-party providers. The Guide may assist:

Organisations applying to become RTOs	Understand the obligations of an RTO. Develop systems and processes in preparation for submitting an application for initial registration.
Current RTOs	Understand RTO regulatory obligations. Establish and maintain systems and processes that comply with the Standards for RTOs and suit the RTO and its learners. Conduct internal reviews and guide improvement initiatives.
Auditors and other regulatory staff	Assist in making consistent judgements about the intent of the Standards for RTOs. Determine how RTOs can implement the Standards in ways that suit them and their learners.

This User Guide is not a component of the Standards and has no legal authority. The Guide is intended to explain the intent of the Standards and support RTOs to achieve quality VET outcomes.

The Guide does not prescribe how an RTO should be managed or what evidence must be retained to demonstrate compliance. RTOs are best placed to decide the most suitable way for their organisation to be structured and managed to reflect their industry, region, learners, and ethos. If an RTO can present evidence that it complies with the Standards, there is no single 'right way' for an RTO to conduct its operations. Case Studies are provided for illustrative purposes only, and do not describe a preferred or mandated approach.

The Standards describe what outcomes an RTO must achieve, not how they must be achieved. The Guide therefore should not be considered as any form of checklist or to contain any prescriptive information. RTO management and staff should use the Guide to obtain a clearer understanding of the Standards and the obligations of an RTO and use that knowledge to structure operations and gather and retain evidence of compliance.

While the Standards apply to all RTOs, this Guide contains some information that is specific to those RTOs regulated by TAC. RTOs not regulated by TAC should contact their regulator for specific information regarding VET legislation, regulatory requirements and regulatory processes that apply to them.

The guide will be updated from time to time. Updated versions will be published on [TAC's website](#) and any printed copies should be checked for currency against the most recent digital copy.



This image is used throughout this guide to indicate information for organisations applying to become RTOs.

STANDARD ONE

The RTO's training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses

Context:

Learners, employers and industry must have confidence in the integrity, currency and value of certification documents issued by RTOs, through high-quality training and assessment practices that:

- meet the requirements of training packages and VET accredited courses
- is responsive to industry and learner needs, and
- is delivered by appropriately qualified trainers and assessors with the right support services, facilities and equipment.

The RTO's training and assessment strategies and practices must have regard to the amount of training required for the learner to gain the competencies as specified in the relevant training package or VET accredited course. The amount of training will vary depending on the existing skills and knowledge of the learner, the mode of delivery and include any work placement arrangements.

To ensure thorough and rigorous assessment practices and results, RTOs must implement a comprehensive plan of systematic validation. RTOs must use a risk-based approach to developing the plan considering risk indicators such as the potential safety concerns to clients from an assessment outcome that is not valid, the mode of delivery, changes to training packages and/or licensing requirements.

Trainers and assessors who are involved in training and assessment delivery being considered as part of the validation process may also participate in the validation process.

There are differences in the operating characteristics and business objectives of RTOs and the evidence RTOs use to demonstrate compliance with this Standard will reflect those differences.

Standard One: Responsive to industry and learner needs

HOW STANDARD ONE BENEFITS:

Learners	<ul style="list-style-type: none"> • Learners benefit from high-quality training that equips them for employment and/or further study in their chosen field. • Learners are confident they hold the skills and knowledge their certification describes and have enhanced employment prospects because employers are confident in their abilities.
Industry/ employers	<ul style="list-style-type: none"> • Employers know that graduates are capable of meeting relevant performance requirements and can apply the training directly to their employment. • Employers know graduates are 'job ready' capable of being productive and safe workers with current, relevant skills and knowledge. • Employers have active involvement in training and assessment.
Governments	<ul style="list-style-type: none"> • Governments can invest confidently in the development of skills and knowledge for the current and future workforce with minimum risk.
Community	<ul style="list-style-type: none"> • The community benefits from a highly skilled and productive workforce and from the subsequent economic benefits at a local, state, and national level. • Quality training and rigorous assessment results in an excellent international reputation and a strong and growing export market.
Providers	<ul style="list-style-type: none"> • Providers delivering quality training have productive businesses with an excellent reputation in the domestic and international market. • Providers that demonstrate commitment to quality outcomes enjoy low levels of regulatory intervention and can take advantage of emerging opportunities quickly.

STANDARD ONE OVERVIEW

It is the responsibility of the RTO to:

- implement a comprehensive and responsive training and assessment strategy (Clauses 1.1 – 1.4)
- engage with industry (Clauses 1.5 – 1.6)
- support learners (Clause 1.7)
- conduct effective assessment (Clauses 1.8 – 1.12)
- employ skilled trainers and assessors (Clauses 1.13 – 1.16)
- provide supervision of individuals contributing to the delivery of training and/or assessment where needed (Clauses 1.17 – 1.20)
- employ experts to teach trainers and assessors (Clauses 1.21 – 1.25)
- manage transitions from superseded training products (Clauses 1.26 – 1.27)

Implement a comprehensive and responsive training and assessment strategy (clauses 1.1 – 1.4)**Clause 1.1**

The RTO's training and assessment strategies and practices, including the amount of training they provide, are consistent with the requirements of training packages and VET accredited courses and enable each learner to meet the requirements for each unit of competency or module in which they are enrolled.

Clause 1.2

For the purposes of Clause 1.1, the RTO determines the amount of training they provide to each learner with regard to:

- a) the existing skills, knowledge and the experience of the learner;
- 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.

Clause 1.3

The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:

- a) trainers and assessors to deliver the training and assessment;
- b) educational and support services to meet the needs of the learner cohort/s undertaking the training and assessment;
- c) learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and
- d) facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.

Clause 1.4

The RTO meets all requirements specified in the relevant training package or VET accredited course.

WHAT CLAUSES 1.1-1.4 MEAN FOR YOUR RTO

Your RTO is required to develop and implement training and assessment strategies and practices — including providing access to suitable resources, facilities, and trainers — that meet the requirements of the training package or accredited course, and ensure learners have the opportunity to gain all relevant skills and knowledge. A training and assessment strategy involves setting goals, planning actions to achieve those goals, and gathering the resources necessary to perform those actions.

To develop training and assessment strategies that meet the requirement of the Standards involves making a number of informed decisions based on a thorough understanding of:

- The requirements of the training package or accredited course such as the qualification rules and the requirements of the units that make up the qualification (Clause 1.4)

- The characteristics and needs of the learner group(s), including learning styles, previous training and experience, language, literacy and numeracy levels and access to learning resources, special learning needs or disability support (Clauses 1.2 & 1.7).
- The current industry practices and expectations, including how the qualification's competencies are used in the workplace for productive outcomes and how this is reflected in the training provided (Clauses 1.5 & 1.6); and
- The resources available to the RTO, including facilities, equipment, training materials, learning materials, learner support services, access to workplaces and third-party providers (Clause 1.3).

A documented training and assessment strategy(s) provides a narrative that reveals an understanding and analysis of these parameters, leading to the selected training and assessment strategy(s)¹.

As these will vary with the qualification, industry, RTO, and learner cohort there will be a wide range of valid training and assessment strategies for the same competency outcomes. There is no set syllabus, rather there will be a range of training and assessment strategies tailored to reflect different situations. The Standards require an RTO to ensure that its responses to these situations are such that the training and assessment strategy ensures:

1. A sufficient amount of training is provided to enable each learner to meet the competency requirements (Clauses 1.1 & 1.2)
2. Sufficient qualified trainers and assessors are assigned to deliver the training and assessment (Clauses 1.3a, & 1.13 – 1.16)
3. Sufficient learning resources are accessible to the learners (Clause 1.3c)
4. Sufficient training facilities and equipment are available (Clause 1.3d); and
5. Sufficient educational and support services can be accessed by learners in need of assistance (Clause 1.3b).

Each of these requirements deserve a more detailed explanation.

Amount of Training

The TAC Fact Sheets [Amount of Training](#), [Developing Training and Assessment Strategies](#), [Distance and Online Training and Assessment](#) provides further information

The amount of training is the notional time that an RTO expects a learner to formally engage with learning and assessment resources provided by the RTO and managed by the RTO to need the requirements of a unit of competency or a cluster of units of competency. This would include all supervised and/or prescribed activities specified in the RTO's curriculum such as class attendance at lectures or tutorials, on-line tasks and forums, assessments, structured workplace experience, workshop activities, projects, assignments, prescribed pre-reading and prescribed follow-up activities. These activities would all be pre-arranged and

¹The primary audience of the training and assessment strategy are trainers and assessors. The training and assessment strategy may be a single document, equally, the strategy may take the form of various documentation, which together form the complete strategy.

managed by the RTO, and learners would be informed of these requirements through course materials. These would also be specified in qualification delivery and assessment strategy documentation and unit delivery and assessment plans.

Clearly the amount of time required by a learner to achieve a qualification (or a specific unit) depends on the starting point of the learner, their learning skills, the mode of delivery of the training, and the magnitude and complexity of the skills and knowledge to be acquired.

If the learner has a significant amount of relevant prior experience, it may be that the learner can proceed directly to the assessment process (RPL) for some or all units, so the amount of training required to complete the qualification will be much less, and the amount of training will only be the time involved in preparation for assessment and the assessment process itself. Similarly, if the learner has already achieved some of the units of competency required for the qualification at another RTO, the amount of training required to complete the qualification will be reduced.

Alternatively, if the learner is facing challenges, such as the need for substantial preparation, learning support, reasonable adjustments and/or personal coaching then the amount of training will need to be increased to meet their needs.

It is important not to confuse amount of training with other similar terms, such as nominal hours, volume of learning and course duration. The distinctions between these are set out in the TAC Fact Sheet [Amount of Training](#). For the purposes of the Standards the RTO will only be audited on how it determines an amount of training (Clauses 1.1 & 1.2)

Trainers and Assessors

The TAC Fact Sheets [Vocational Competence and Industry Currency](#) and [Trainer and Assessor Regulatory Requirements](#) provides further information.

The development and delivery of quality training and assessment depends upon the skills and experience of qualified trainers and assessors. The analysis necessary to develop a relevant and valid training and assessment strategy requires that the trainer/assessor has five special qualities:

1. They must have the vocational competency to the level being delivered (Clause 1.13a)
2. They must have current industry skills relevant to the training and assessment being delivered (Clause 1.13b)
3. They must have current knowledge and skills in VET learning
4. They must meet current trainer/assessor qualifications (Clauses 1.14 & 1.15); and
5. They must keep these qualities up to date through on-going professional development (Clause 1.16).

These requirements will be discussed again in this guide when Clauses 1.13 – 1.16 are addressed. Suffice to say here that the RTO must ensure that it maintains access to this expertise during the development and delivery of the training and assessment strategies on its scope.

Learning Resources

The Standards define a learner as “a person being trained and/or assessed by the RTO” therefore both delivery resources and assessment resources are included in this section. These training and assessment resources must meet the requirements of each unit of competency, and it must be possible to map these resources against the unit requirements. Such a mapping, although not mandated, enables the trainer/assessor to verify and demonstrate that all unit requirements (including elements and their performance criteria, foundation skills, prerequisites, performance evidence, knowledge evidence) are addressed within the learning/delivery resources and the assessment tools to ensure sufficient coverage of mandated requirements **and** to identify those aspects that are discretionary. These resources are most likely to be text (either digital or printed), but may include excursions and incursions, presentations, lectures and tutorials, workplace and workshop activities, video, and on-line experiences. Again, they may vary to meet the needs of learners including access and learning styles, but in all cases each learner must have access to sufficient learning resources to enable them to meet the requirements of each unit of competency.

These resources may be RTO-made or purchased, but in either case it must be established that the resources reflect the requirements of the units of competency they serve and are suitable for the cohort of learners who will use them.

Assessment resources will be discussed further under Clause 1.8.

For further specific information refer to TAC Fact Sheet on [Assessment](#) and the TAC Fact Sheet on [Assessment Validation](#).

Facilities and equipment

The range of facilities and equipment needed is dictated by the nature of the learning and assessment resources to be utilised. It includes real or virtual classrooms, workshops and workplaces, and all the equipment required for the delivery of the learning materials (data projectors, internet access etc.) and required by the unit of competency itself (tools and materials that reflect the range of current industry practices).

Facilities and equipment may be RTO-owned, leased or accessed through industry. However accessed, the RTO must be able to demonstrate that taken together they reflect the requirements of industry and the unit(s) of competency, and are accessible and sufficient to service the cohort of learners.

In the case of workplace delivery, many of the required resources may be readily available; however, some workplaces will not have access to all required resources and the RTO will need to address any such gaps.

When using ‘simulated’ workplace environments, ensure they fully replicate the resources, environment and any time and productivity pressures that exist in the actual workplace. It is important to ensure the development and use of simulated environments is informed by consultation with industry stakeholders and reflects all four dimensions of competence

including task skills, task management skills, contingency management skills and job/role environment skills², ensuring relevance to real workplaces.

Training packages and VET accredited courses describe the requirements for assessment of learners, including any specific environments or equipment that must be used. Assessment methods must ensure that only properly skilled learners are determined as competent. When conducting assessment, adhere to all requirements such as the context of assessment and essential resources, as described in the unit of competency or module.

For further specific information refer to TAC Fact Sheet on [Assessment](#) and the TAC Fact Sheet on [Distance and Online Training and Assessment](#)

Learner Support Services

Every learner is unique, they have had different experiences, have undergone different learning, have different learning styles, have different ambitions and motivations, and have different challenges. The RTO manages this variability by selection or grouping and must cater for these differences in the learner cohort by developing responsive training and assessment strategies that reflect the understanding of varying needs. An RTO needs to have a “safety net” to catch those who lose their footing on the learning journey and are required to predict the kinds of challenges their learners might face and provide access to educational and support services to meet those needs if they arise. These support services may be provided within the RTO, through contracted services, or through access to services provided outside the RTO.

It is legitimate for an RTO to limit the scope of services and the clientele that it can train through its enrolment process to match the resources it can access. These limitations might be imposed by limited number of trainers/assessors, learning resources, facilities and equipment or the ability of the RTO to respond to specific learner needs. Limitations might be imposed by the nature of the unit of competency itself, or by access to outside resources such as workplaces or regulation.

RTOs are not expected to be “all things to all people”, however, once an RTO has accepted and enrolled a learner, the RTO must be able to meet that learner’s needs. In the specific case of a defined disability, the RTO is required under the [Commonwealth Disability Discrimination Act \(1992\)](#) to set out in writing how it will meet the individual’s learning needs through reasonable adjustment, or why it cannot.

For further information see the TAC Fact Sheet [Identifying and Meeting learner Needs](#).

RTOs must provide equitable access to all required educational and support services, so that no learner is disadvantaged regardless of their mode of study or location. The RTO must identify any limitations regarding access to resources clear in the pre-enrolment information

² The Department of Training and Workforce Development *Assessment in the VET sector* second edition (2016)

so clients and learners can make an informed choice about which RTO and course of study can best meet their needs.

An RTO must, always, have all resources available to deliver every training product on the RTO's scope of registration—whether currently delivering it or not. These resources must comply with any specific requirements in the training package or accredited course. The quantity of these resources required will depend on how many learners the RTO is delivering to or intends to deliver to and the training and assessment strategies should include guidance on the level of resources needed per learner or per group.



If you are seeking initial registration as an RTO, you are expected to have access to all the required resources, as stated in the training package or accredited course, in place at the time of submitting your application, for all training products included in your application. TAC will conduct an audit against all training products you have applied for to establish that you have:

- access to all resources, and
- sound training and assessment strategies ready to implement.

If TAC grants your registration, future compliance audits will assess whether the strategies have been implemented.

A GUIDE TO COMPLIANCE

RTOs must develop a training and assessment strategy or strategies for each training product they are registered to deliver, in the format they choose. Different strategies may need to be developed for different delivery models or target groups. The strategy may consist of multiple documents; however, there must be consistency between these documents so that the overall strategy is clearly described.

The training and assessment strategy should not be 'static'. It needs to be regularly used and updated to consider changes in industry technology and techniques, legislation, and the training package itself, as well as the availability of resources within the RTO. The strategy must also be consistent with the advertising and other material provided to prospective learners.

The RTO may need to develop multiple strategies where the needs of different learner cohorts require different approaches to the delivery of training and/or assessment.

For further information see the TAC Fact sheet [Identifying and Meeting learner Needs](#).

Training and assessment strategy/s should be developed where the training product is a full qualification or where it is a skill set or a single unit of competency. When describing a qualification or a skill set made up of a collection of units of competency, the RTO should consider developing training and assessment strategy/s for each unit of competency.

For further information see the TAC Fact Sheet [Developing Training and Assessment Strategies](#).

The TAC auditor will be looking for evidence of thoughtful planned approaches to training delivery and assessment that adhere to all the requirements of the training package or accredited course, are responsive to the characteristics of the cohorts of learners to be enrolled by the RTO, are reflective of current industry practices, and are consistent with the human and physical resources available to the RTO. Consistency between the overall training and assessment strategy, the contributing delivery and assessment plans or strategies, and the actual delivery and assessment resources and activities used by the RTO will be confirmed at audit.

If you are applying for registration or amendment to scope, the auditor will be closely looking at the planning process and the training and assessment strategies you have developed. Later audits will also address the application of those plans and strategies, how you have reviewed them, and what changes you have made to improve them.

RTOs SHOULD ADDRESS, AT MINIMUM, THE FOLLOWING AREAS IN EACH STRATEGY:

Training product	Identify the training product the strategy relates to including the national code and full title as listed on training.gov.au.
Core and elective components (full qualifications)	If delivering a full qualification, list the core and elective units that have been selected through consultation. Ensure the choice of electives meets the requirements of the packaging rules and reflects the job role. Identify the sequencing of delivery and assessment. If the strategy is for a skill set, list the units in the skill set. If the strategy is for a single unit of competency, that unit will be listed.
Clients and their learning needs	Describe the characteristics of the target group. Include information about the knowledge and skill they may have, any learning needs, learning style preferences, literacy, language and numeracy skills, any support needs. You could also include motivations for engaging in the learning and the goals of the group.
Mode of delivery	Identify how the training and assessment is to be delivered—face-to-face, online, through workplace training or a mixture of different modes.
Entry requirements	Identify any entry requirements specified by the Training Package, such as qualifications that must be held or periods of industry experience. You could also identify any areas where learners may need additional support (e.g. if they have low English literacy levels) and identify whether learners' physical attributes may influence their ability to complete the training and assessment.

RTOs SHOULD ADDRESS, AT MINIMUM, THE FOLLOWING AREAS IN EACH STRATEGY:

Amount of Training	Describe how the amount of training has been established and why it is suitable for the target group. Analyse the nature of your learner cohort. Use the analysis and any specific requirements of the training product to determine how your RTO will manage training and assessment activities to ensure learners are able to fully develop the required skills and knowledge prior to being assessed.
Assessment resources, methods and timing	Provide a description of how the program will be assessed. This may include information about assessment of each of the units if this information is not included in other documents such as an assessment plan. Describe the approach/methods to be used, the scheduling of assessment, how you will meet any pre-requisite requirements for assessment for each unit. Training Packages and the assessment requirements often specify specific approaches and / or resources that are to be met, these must be reflected accurately in the assessment approach.
Learning resources	Choose and plan the learning resources to be used to ensure learners can obtain and absorb the required knowledge and skills prior to assessment. Describe specific resources required for the delivery and assessment of the Training Product. If the TAS document does not include this information, it should direct the reader to the document that does include this information. This might include an assessment, a session plan, or a specific resource list for a unit of competency or cluster of units. This may also include information about the resources the learner might be required to provide or have access to.
Human resources	Either in the strategy or separately, document the staff available to deliver and assess the training product. This ensures suitable trainers and assessors are available for all training products on your RTO's scope of registration. Record this at a unit of competency level to ensure any specific requirements are met, and to allow your RTO to deploy staff efficiently.
Physical resources	Compare the physical resources required to deliver a training product with the resources available to your RTO. Many units of competency include detailed specifications of resources required, so conducting this analysis at a unit of competency level ensures these requirements are fully addressed.
Strategies for 'stand-alone' single units or skill sets	Develop and implement a strategy in the same way as you would for a qualification, noting that some information may not be relevant, such as information on core and elective units.

RTOs SHOULD ADDRESS, AT MINIMUM, THE FOLLOWING AREAS IN EACH STRATEGY:

	Often, this type of delivery is aimed at an industry licence or accreditation. Identify all of the requirements of that licence or accreditation in the strategy (including any possible entry requirements such as minimum age) and explain how learners can readily attain the desired outcome.
Strategies for 'assessment only' pathways	<p>Where your RTO offers an 'assessment only' pathway, develop and implement a strategy that covers:</p> <ul style="list-style-type: none"> • assessment methods, timing, and resources, and • how issues will be addressed (for example, if a learner does not achieve the competency requirements). <p>You may set specific requirements such as (if so, these requirements need to be made clear to prospective learners prior to enrolment).</p>

Case Study: Responsive to industry and learner needs.



Providing workplace assessment at a mine site.

ABC Mining delivers the RII30719 - Certificate III in Emergency Response and Rescue to its staff working in a large open-cut mine. Many learners have two years' experience and already hold some of the units for the qualification (e.g., advanced first aid). Training and assessment are carried out in both on-site training facilities and the workplace. The course is delivered over 12 months, with formal training and assessment one day a week and on-the-job observation by assessors. Between one and two hours a week is allocated for each learner for observation and assistance, depending on the stage of the course and any additional support needs identified. As employees, all learners have been through a number of recruitment and selection processes, and they are well known to the RTO.

After selecting suitable elective units, the Training Manager discusses suitable opportunities for workplace assessment with the Mine Site Supervisors. ABC Mining decides to simulate some tasks, such as conducting rescue activities, where permitted by the training package. To ensure the simulations accurately represent workplace conditions, the Training Manager arranges access to an unused area of the site and establishes simulated environments that replicate workplace conditions.

As these activities are carried out in a team, ABC Mining ensures every learner is assessed for all components by repeating the simulations regularly, with each learner carrying out every role in the team over time. These activities are separated by formal training sessions. The activities commence with simple, routine tasks then gradually introduce further complexity and different conditions. This supports the less experienced employees and ensures learners are assessed on the actual skills and ability to apply knowledge to a variety of contexts in the same conditions they will experience in the workplace. It also ensures they can build on their skills over time.

Where it is suitable to observe learners undertaking regular workplace tasks, a schedule is developed with the Mine Site Supervisor that allows assessors to observe each learner on multiple occasions. These observations include the assessor asking the learner a range of questions to test their knowledge and ability to apply knowledge to different contexts, such as different mine sites.

The learning resources refer to the actual workplace procedures used on the site. This ensures the resources are up to date and relevant. Using actual workplace procedures also allows ABC Mining to conduct the course at other sites with minimal changes.

To ensure all unit requirements are addressed and to identify opportunities to conduct assessment of multiple requirements, the performance evidence and knowledge evidence requirements are documented, then 'mapped' to the assessment tasks prior to assessment being conducted. The evidence gathered through these activities is in turn mapped to the unit requirements to enable a valid competency decision to be made.

All these plans and processes are documented in a training and assessment strategy for the qualification. As changes occur in the training package, the industry, the learner cohort or the RTO's resources the training and assessment strategy document is reviewed, revised and up-dated to ensure that learners continue to receive quality training and assessment.

LINKED CLAUSES

For ease of navigation, the table below identifies clauses within the Standards for RTOs associated with the training and assessment strategies and practices (clause 1.1) amount of training (clauses 1.1 and 1.2), skilled and experienced trainers and assessors and sufficient resources (clause 1.3) and meeting the requirements of the training product (cl 1.4.).

LINKED CLAUSES FOR 1.1, 1.2, 1.3 & 1.4

1.5	Industry engagement
1.7	Educational support services
1.8	Assessment systems
1.13 – 1.16	Trainers and Assessors
3.5	Credit
4.1	Marketing RTO services
5.1	Advice about RTO training products
5.2	Information about RTO services

Engage with industry/employers (clauses 1.5 – 1.6)**Clause 1.5**

The RTO's training and assessment practices are relevant to the needs of industry and informed by industry engagement.

Clause 1.6

The RTO implements a range of strategies for industry engagement and systematically uses the outcome of that industry engagement to ensure the industry relevance of:

- a) its training and assessment strategies, practices and resources; and
- b) the current industry skills of its trainers and assessors.

WHAT CLAUSES 1.5-1.6 MEAN FOR YOUR RTO

Industry 'owns' the qualifications and units of competency that RTOs deliver. These are set through the industry developed training packages or accredited courses. When an RTO issues a certificate, industry must be confident that the training and assessment are consistent with its expectations and industry engagement is a key strategy to provide a direct relationship between the RTO and the industry it serves for the mutual benefit and confidence of each party.

For further information see the TAC Fact Sheet [Industry Engagement](#).

Industry engagement can occur by:

1. The RTO going out into industry to learn of the range of current industry practices and processes; and
2. Industry coming into the RTO to review RTO practices and processes.

The first of these approaches supports the industry currency of VET trainers and assessors (Clause 1.6b), which in turn will contribute to the industry relevance of the content of training delivered and the workplace validity of the assessment tools and judgements (Clause 1.6a).

The second enables RTO trainers and assessors to confirm that the resources they have developed or selected are consistent with current industry practices, and that their understanding of industry's expectations expressed through the units of competency have been faithfully applied to their curriculum and assessments.

When monitoring the implementation of the RTO training and assessment strategies, continue to engage with industry and seek feedback about the relevance of the training and assessment strategies, including feedback on the currency of the resources used for both training and assessment. The monitoring process should also confirm industry's ongoing expectations for the current industry skills and knowledge of trainers and assessors.

By engaging with industry, the RTO ensures the training and assessment practices and resources continue to meet the needs of industry, particularly in areas where technology and/or techniques change rapidly. There is no specific method or approach to engage with industry. However, RTOs should document engagement strategies and activities to

demonstrate the alignment between industry needs and the RTOs strategies, resources and practices.

RTOs frequently ask industry representatives to read and review delivery and assessment plans and assessment tools as a primary strategy for industry engagement. This is based on an optimistic expectation that these industry stakeholders will understand the intricacies of VET training and assessment. The use of technical checklists to obtain industry 'sign off' in regard to training and assessment strategies is not meaningful if those conducting the review are not VET experts and will only create an illusion of compliance.

There is also a common assumption that training and assessment staff of an enterprise-based RTO do not need to engage with the wider industry and that their day-to-day dealings with a real workplace is sufficient. While it's reasonable to expect employees should only be trained in the ways of their employer, the qualifications are national and generic, so the content and context of training and assessment resources need to go beyond the specific enterprise and reflect wider industry requirements. It is therefore necessary for enterprise trainers and assessors to familiarise themselves with practices across the industry, and to incorporate those in their training and assessment.

Most VET trainers have at some time worked within their industry, but such experience is usually limited to a few enterprises, and may be out-of-date. The national qualifications they are delivering must reflect current practice over the broad scope of industry.

Finally, there is a frequently held view that reading industry journals and participating in industry forums alone provides a sufficient basis for industry engagement. These sources are all at 'arm's length' and are not an adequate substitute for direct, personal, first-hand observation and participation in real workplaces.

A GUIDE TO COMPLIANCE

RTOs must be able to demonstrate that they are using a range of strategies to engage with industry and that all strategies for training and assessment have been developed with regard to information obtained through engaging with industry stakeholders. This information could include the qualification or skill set that best meets the skill and knowledge needs of industry and the most relevant electives for the training (in accordance with any packaging rules for the training product). It may also include specific content in the delivery of units of competency so that the range of industrial applications is reflected in the knowledge and skills. The mode of study and the training and assessment methods to be used must also reflect the needs of industry and those who work within it.

While RTOs can choose their preferred approach or method for engaging industry stakeholders, the information obtained must be systematically used to develop and review training and assessment strategies and practices.

The RTO must retain evidence that they have:

- consulted relevant industry stakeholders; and

- incorporated stakeholder feedback into the development and ongoing review of strategies and content.

Taking shortcuts — like developing a generic strategy from a template and asking an employer to ‘sign off’— will not be effective and does not demonstrate that the strategy was informed by industry. Documenting and retaining evidence of industry engagement activities and their outcomes will help the RTO to demonstrate compliance with Clause 1.6b “current industry skills”.

As industry engagement is an ongoing activity, retaining evidence of recent engagement (as well as historic activity) will demonstrate that your RTO has consistently carried out industry engagement activities. Evidence of how the outcomes of the engagement activity have been used to inform the RTOs training and assessment strategies should also be retained.

Industry engagement involves the RTO reaching out to industry and understanding its needs and expectations through:

1. Observation of a wide range of workplaces
2. Reading industry journals
3. Participating in industry forums or conferences
4. Undertaking product training
5. Sharing observations and resources with RTOs in other locations; and
6. Contributing to the national discussion on industry standards.

Industry engagement also involves representatives of industry reviewing your work within the RTO to verify:

1. Your understanding of current industry requirements and expectations
2. Your interpretation of the training package requirements
3. The currency and relevance of content and context of your training delivery resources; and
4. The currency and relevance of the content and context your assessment resources.

Ultimately the effectiveness of the RTOs industry consultation will be revealed through the training and assessment services and the trainer and assessor’s current industry skills, but for audit purposes an account of an RTOs engagement with industry relating to the ten points above provides a sound evidence base for compliance with clauses 1.5 and 1.6.



If your organisation is seeking registration as an RTO, you must provide evidence that you have sought and incorporated input into your training and assessment strategies from relevant industry stakeholders. You must also provide evidence that you have developed a range of strategies for ongoing engagement with relevant industry stakeholders.

Case Study: Industry engagement



Training tomorrow's mariners

DEF Education delivers three qualifications from the Maritime Training Package. The RTO operates from a former workshop adjacent to a slipway and a number of marine repair businesses. The RTO has been approved by the Australian Maritime Safety Authority (AMSA) for the delivery of maritime licensing qualifications.

Prior to commencing operations and applying for registration as an RTO, the organisation met with local AMSA officers to discuss industry needs. DEF Education identified that:

- due to increases in marine tourism there is a shortage of workers with certain licence classes in the area, and
- qualifications leading to licensing for Coxswain Grade 1 NC, Master (Inland Waters) and Marine Engine Driver Grade 3 NC would be suitable to deliver to new entrants to the industry.

While these qualifications have no formal entry requirements, many tasks in certain qualifications require the ability to operate in confined spaces, and in hot and noisy conditions. To ensure suitability of learners, the DEF's strategy identifies that learners must confirm that they have a reasonable level of physical agility and the ability to operate comfortably in confined spaces, and that they have passed the required eyesight test prior to their enrolment being accepted. As the expected outcomes for the identified client cohort (maritime licenses) require a 'self-declaration of medical fitness' prior to issue, potential learners are required to complete this prior to enrolment to ensure they are able to achieve their desired outcomes.

DEF Education considered possibilities for training new entrants to the industry using vessels operating in the local marine tourism industry but concluded that it was not practical for safety reasons.

After consultation with local employers, the RTO purchased two vessels that are representative of the type of vessel commonly used in the local area and more broadly in the marine tourism industry:

- an eight-metre open boat powered by a 250 hp outboard engine, previously used for dive trips, and
- a 15-metre boat powered by twin 220 kW diesel inboard engines and a small diesel-powered generator set, previously used for extended dive and cruising trips.

To provide access to a range of equipment and machinery for basic skill development, the RTO purchased a variety of engines and other mechanical and safety equipment. This equipment includes electronic and other navigational equipment. The engines and equipment were set up in various simulations of on-board environments to allow learners to familiarise themselves with relevant equipment and tasks safely.

The two vessels purchased are used by all learners, who undertake various voyages during their training and assessment. These voyages enable learners to undertake all required tasks and to complete the requirements of the AMSA *Task Book* (which documents the amount of sea service, the tasks undertaken and the type of vessel the in which the voyage was undertaken).

In response to industry concerns that graduates of some RTOs don't have the full range of skills and experience required, DEF Education discussed the sequencing of training and assessment, as well as assessment methods with local employers. The discussions aimed to develop sequencing/assessment methods that would ensure learners gain exposure to a wide range of contexts and scenarios.

The RTO also monitors emerging technology and regulatory requirements so that it is aware of any changes that would require strategies or practices to be amended in response to changes in industry requirements at any time. The RTO retains records of formal meetings (through minutes) and of less formal engagement activities (through diary notes) to demonstrate how they have engaged with industry stakeholders. Version control of training and assessment strategies documents where changes are made as a result of industry engagement and the reason for the changes.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the [Standards for RTOs](#) associated with ensuring that training and assessment is relevant to the needs of industry (clause 1.5) and that industry engagement ensures relevance of training and assessment strategies and practices and trainer and assessor industry currency (clause 1.6).

LINKED CLAUSES FOR 1.5 - 1.6	
1.1 - 1.4	Industry relevant training and assessment strategies.
1.8	Industry relevance of assessment strategies and content
1.9 - 1.11	Industry outcomes as an indicator of assessment validity. Industry expertise to assist with assessment validation
1.12	Interpretation of workplace evidence in RPL
1.13	Evidence of vocational competence and industry skills of trainers and assessors. Industry assistance in assessment judgements.
1.16	Professional development of trainers and assessors
2.2	Industry feedback on the quality of RTO services
5.2	Industry support for work placement arrangements
8.5 & 8.6	Industry regulatory requirements

Support learners (clause 1.7)

Clause 1.7

The RTO determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.

WHAT CLAUSE 1.7 MEANS FOR YOUR RTO

All learners are different in their needs, ambitions, preferences, backgrounds. The training package or accredited course define outcomes, but not the pathway to be traversed to achieve those outcomes. An RTO will design training and assessment strategies that can facilitate the potential of each student but will also need to consider support services that might be needed to enable each learner to take full advantage of the training services.

To maximise the chance of learners successfully completing their training, the RTO needs to:

- identify any support individual learners need prior to their enrolment or at commencement (whichever is the earliest); and
- provide access to that support throughout their training.

This may include providing:

- Language, literacy and numeracy (LLN) support
- assistive technology
- additional tutorials; and/or
- other mechanisms, such as assistance in using technology for online delivery.

If this support attracts an additional cost to the learner, the RTO must make this clear in any pre-enrolment information.

If there are limitations to the support an RTO can provide, these limitations need to be included in information provided to potential learners before they enrol. The support the RTO provides can be at several levels:

- 'built in' support for learners through tutorial groups, mentoring, preparatory activities, follow-up activities and formative assessment as a part of the training and assessment strategy
- pre-course counselling and pre-enrolment guidance to enable individuals to prepare for the training on offer
- on-campus or off-campus counselling services, language, literacy, and numeracy (LLN) support, study skills programs; and/or
- provision of special equipment, facilities, and learning materials to learners with disability through Reasonable Adjustment.

In each case, the RTO must take care that none of these services invalidate the units of competency requirements but serve to enable the learner to overcome barriers that might constrain their ability to demonstrate competence.

The RTO must clearly state in its marketing material what limitations there are to its services. Clause 5.2b makes this responsibility clear “Prior to enrolment or the commencement of training and assessment, whichever comes first in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content: the training and assessment, and related educational and support services the RTO will provide to the learner”

The RTO must also seek to determine if an applicant has needs that will require educational and support services. This may be through pre-enrolment interviews, questionnaires, pre-start assessments or enrolment forms. The outcome will be either guidance to the applicant to undertake training elsewhere, or to accept the applicant and the responsibility to provide whatever educational and support services will be needed.

While all of the above are covered by the Standards, learners with a disability require particular attention as there are Commonwealth and state legislative requirements with which RTOs must comply. The Commonwealth *Disability Discrimination Act 1992* and the associated *Disability Standards for Education 2005* define requirements for RTO practice. The Western Australian *Equal Opportunity Act 1984* prohibits discrimination on the grounds of impairment, including access to training and the conferring of qualifications.

The *Disability Discrimination Act 1992* requires RTOs to customise their services to facilitate the successful participation of people with disability in education, training and employment and the *Disability Standards for Education 2005* (page 15) specifies that providers of training and assessment services in the VET sector are obligated to make “...reasonable adjustments, where necessary, to ensure they are able to participate in education and training, on the same basis as students without disabilities”.

There are distinct boundaries to the provision of reasonable adjustments for people with disability. In particular the *Disability Standards for Education* instructs that “... the provider is entitled to maintain the academic requirements of the course or program, and other requirements or components that are inherent in or essential to its nature” (Section 3.4 (3)) and notes that “... the provider may continue to ensure the integrity of its courses or program and assessment requirements and processes, so that those on whom it confers an award can present themselves as having appropriate knowledge, experience and expertise implicit in the holding of that particular award.” The WA *Equality Opportunity Act* also indicates that “reasonableness” must not cause the provider unjustifiable hardship and must take into consideration the impact on the RTO and other learners, and the extent to which adjustments can be made without damaging the integrity of the industry standard and the certification that follows.

If the RTO for any of these reasons is unable to offer reasonable adjustment for a person who declares a disability, the RTO must put its reasons in writing and assist the learner in locating an alternative provider and/or an alternative course commensurate with their needs and capabilities. If the RTO can offer reasonable adjustment for a person who declares a disability, then the RTO must make a clear and continuing commitment to the learner in

writing that the reasonable adjustment will be provided so that the learner will be able to complete all agreed requirements.

Once training has commenced, evidence of individual needs can be gleaned from indicators of progress, feedback, complaints, and appeals. A learner's needs can change or may not be revealed until tested by the rigours of training, so it is important to monitor everyone's progress and to keep support services open and accessible throughout the term of the learner's enrolment.

Further information relating to **reasonable adjustment** can be found within the Department of Training and Workforce Development's publication [Assessment in the VET Sector](#)³. The TAC Fact Sheet [Reasonable Adjustment and Inclusive Practice](#) also provide information.

A GUIDE TO COMPLIANCE

RTOs must be able to demonstrate that they identify, for each enrolled learner, any additional support required and that this support is made available, either directly or via arrangements with other organisations.

In consideration of Clause 1.7 the TAC auditor will be looking for evidence that the RTO has:

- A clear statement in the training and assessment strategy of potential clients and their likely learning needs. This might also indicate learner needs that cannot be accommodated by the training and assessment covered by the strategy.
- Evidence of how the learner needs will be identified.
- RTO marketing materials which indicate limitations and support strategies for individual learner needs.
- Marketing materials and student information relating to the provision of or access to learner support services, and evidence of the existence or access to those services.
- A clear statement in a unit delivery and assessment plan of how training can be modified to meet individual learner needs, and evidence of the readiness of the RTO to provide those modifications.
- A clear statement within a unit delivery and assessment plan of how flexibility and fairness will be met through the assessment process, and evidence of appropriate assessment tools and processes.

Where additional support requirements have been established, the RTO must be able to demonstrate that this support has been made available.

For further information see the TAC Fact Sheet [Identifying and Meeting learner Needs](#).



If you are seeking registration as an RTO, you must be able to demonstrate you have strategies in place to identify any support needs and to make this support available to learners.

³ The Department of Training and Workforce Development *Assessment in the VET Sector* (Chapter 4 -pp59 – 74).

For initial registration, evidence provided would be based on policies, procedures and plans. In later audits, evidence will be sought of the delivery, outcomes and the continuous monitoring of the effectiveness of these services, including evidence from learner feedback.

Case Study: Reasonable Adjustment



Getting the calculations right

GHI Training identifies that a qualification requires the ability to carry out complex calculations quickly and accurately. On their website, this information is provided so potential learners are aware of this requirement. The website also includes information about optional tutorials to assist learners with their computational skills, available at extra cost for learners who need additional support in this area.

As part of the RTO's enrolment process, learners undertake a short assessment based on the type of calculations they will need to be able to complete. Assessment results determine whether the learner will need additional support or whether the learner should undertake further study in this area before enrolling in the course.

If a learner is identified as needing additional support, the RTO arranges tutorials to allow the learner to increase their skills prior to when these components are scheduled in the course.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the [Standards for RTOs](#) associated with supporting learners (clause 1.7).

LINKED CLAUSES FOR 1.7

1.1 & 1.2	Identification of characteristics of the learner and the adjustment of the amount of training
1.3b	The provision of education support services
1.5 & 1.6	An awareness of what adjustments can be accommodated within industry
1.8	Adjustments to meet individual needs and support fairness
1.9 – 1.11	Evidence of responsiveness to individual needs in assessment
1.12	Access to RPL

LINKED CLAUSES FOR 1.7

1.13a	Awareness of limits to adjustment whilst retaining credibility of the competency
1.13b	Industry awareness of trainer/assessor
1.13	Awareness of VET practices vis a vis responding to individual needs
2.2	Responding to feedback relating to individual needs
3.5	Offering credit to previously trained learners
4.1, 5.1 & 5.2	Informing potential and current learners of the support services available with the RTO
6.1	Feedback on learner satisfaction with support services
8.5, 8.6	Awareness of legal obligations for learners with a defined disability

Conduct effective assessment (clause 1.8)**Clause 1.8**

The RTO implements an assessment system that ensures that assessment (including recognition of prior learning):

- a) complies with the assessment requirements of the relevant training package or VET accredited course; and
- b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.

The prime responsibility of an RTO is to certify the competence of individual learners. Certification must only be issued to a learner whom the RTO has assessed as meeting the requirements as specified in the relevant training package or VET accredited course (Clause 3.1). This may have been achieved through training delivered by the RTO, or skills acquired elsewhere (Clause 1.12). Credible assessments are an integral element of the VET system and therefore it is essential that RTOs undertake their assessments as per the Standards.

Assessment is defined within the Standards as “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” (Standards for RTOs, Glossary p:7).

In VET, the mandated performance standards are specified as units of competency. All mandatory requirements must be demonstrated by the learner and evidence must be gathered for **all aspects** of the unit for the assessor to make the assessment decision of

“competent”. Assessors need to use their vocational competence and industry skills to accurately understand the requirements of the unit. (Clause 1.13). These rigorous requirements maximise consistency, reliability, and validity, and guarantee the **credibility** of certificates awarded.

All required evidence is either possession of **knowledge** or evidence of the performance of a **skill**. As the RTO must explicitly assess knowledge and skills, it is not surprising that there are **two different methods of evidence-gathering** – the “show” and “tell”. When gathering evidence of a skill, RTOs ask the learner to show (perform) the skill. When gathering evidence of knowledge, RTOs ask the learner to tell the answer to a question. These do not have to be separate assessment events - while an assessor observes the performance of a skill, they can ask questions and record answers, but they are two different assessment methods.

When RTOs assess a skill, they are limited to the physical context of the assessment, the equipment, materials, protocols, and the environment are all limited to the assessment ‘event’. RTOs minimise the risk to sufficiency and validity of evidence by assessing every skill at least twice (and in line with the specific requirements of the training product), with the second assessment deliberately arranged in a different site with different equipment, materials and protocols.

It is the RTO assessor’s responsibility to develop a set of assessment tools to gather evidence of all the knowledge and evidence of all the skills specified in the unit of competency. These tools can be used by the RTO assessor and also by others as third party evidence-gatherers.

For further information see the TAC Fact Sheets on [Assessment](#) , [Assessment Validation](#) and [Assessing in the Workplace](#).

The following tables, taken from the Standards, specify the **principles** and **rules** that RTO evidence-gathering activities and assessment judgements must meet. When making assessment judgements, RTOs must meet the **principles of assessment**. For each **principle** (taken from the Standards and italicised), the table below indicates how the RTO can apply these through the assessment system and processes, as no matter what assessment pathway or methods and RTO chooses, the principles of fairness, flexibility, validity and reliability must be met.

TABLE 1.8-1: PRINCIPLES OF ASSESSMENT

Fairness	<p>The individual learner’s needs are considered in the assessment process. Where appropriate, reasonable adjustments are applied by the RTO to take into account the individual learner’s needs.</p> <p><i>The RTO informs the learner about the assessment process and provides the learner with the opportunity to challenge the result of the assessment and be reassessed if necessary.</i></p>
-----------------	--

TABLE 1.8-1: PRINCIPLES OF ASSESSMENTApplying the principle of **FAIRNESS** in the RTO:

- At enrolment or prior to commencement of training, make recognition of prior learning available to all learners.
- Consider the learner's needs in the assessment process and make reasonable adjustments to accommodate the learner (such as providing oral rather than written assessment). However, don't compromise the rigour of the assessment process (e.g. if there is a requirement to complete documentation in a unit of competency, oral assessment will not be appropriate).
- Ensure the learner is fully informed of the assessment process and performance expectations before undertaking assessment.
- If a learner is unable to complete the required task to the level described in the assessment requirements, consider whether they need further training before being reassessed. Sound enrolment processes will help to identify the needs of learners and avoid learners being enrolled in a course that they will not be able to complete.
- Have an appeals process to provide an avenue for learners to challenge an assessment decision and to have a decision reviewed objectively

Flexibility

Assessment is flexible to the individual learner by:

- *reflecting the learner's needs*
- *assessing competencies held by the learner no matter how or where they have been acquired; and*
- *drawing from a range of assessment methods and using those that are appropriate to the context, the unit of competency and associated assessment requirements, and the individual.*

Applying the principle of **FLEXIBILITY** in the RTO:

- At enrolment or prior to commencement of training, make recognition of prior learning available to all learners. Ensure any modifications are made to the training and assessment program for that learner.
- Take the learner into account in the assessment process and recognise that they may already have demonstrated some aspects of the unit through other means. If individual learners have demonstrated current skills and knowledge, they should not be required to be reassessed in those areas, unless the previous demonstration of skills or knowledge is in a significantly different context or environment.
- Use a range of assessment methods to help produce valid decisions and recognise that learners demonstrate competence in a variety of ways

TABLE 1.8-1: PRINCIPLES OF ASSESSMENT**Validity**

Any assessment decision of the RTO is justified, based on the evidence of performance of the individual learner.

Validity requires:

- *assessment against the unit(s) of competency and the associated assessment requirements covers the broad range of skills and knowledge that are essential to competent performance*
- *assessment of knowledge and skills is integrated with their practical application*
- *assessment to be based on evidence that demonstrates that a learner could demonstrate these skills and knowledge in other similar situations; and*
- *judgement of competence is based on evidence of learner performance that is aligned to the unit/s of competency and associated assessment requirements.*

Applying the principle of **VALIDITY** in the RTO:

- As part of your assessment, require learners to demonstrate skills and knowledge across a range of environments and contexts relevant to the unit or module. Assessing in a variety of contexts shows that the learner has internalised the competency and is able to apply the skills and knowledge in other situations and can apply their knowledge in a practical way.
- Ensure that assessment tasks and methods match assessment requirements. For example, if assessing a practical skill such as keyboarding, questions about how a keyboard operates may not be valid as this knowledge is not proof that they are able to carry out the task. Instead, use questions that demonstrate knowledge of why the learner is doing the task in a particular way.
- Ensure that only evidence that meets the Rules of Evidence is used in the judgement of competency.
- Ensure that the judgement of competence is based only upon the requirements of the unit of competency.
- Ensure that competency is only awarded when all requirements of the unit of competency have been demonstrated

Reliability

Evidence presented for assessment is consistently interpreted and assessment results are comparable irrespective of the assessor conducting the assessment.

Applying the principle of **RELIABILITY** in the RTO:

- Make assessment decisions consistently across different learners and different assessors in the same unit or module.
- Have a well-designed assessment system that includes measures to minimise variation between assessors. The same evidence presented by different learners or to different assessors should result in the same decision.

TABLE 1.8-1: PRINCIPLES OF ASSESSMENT

- Develop evidence criteria (i.e. decision-making rules) to judge the quality of performance. This will help assessors make consistent judgements about competence. Evidence criteria could include:
 - model answers (where appropriate)
 - descriptions of observations needed to assess skills and application of knowledge in a practical activity.
 - Benchmarks for practical activities must necessarily be broad enough to allow for variations in the precise task being undertaken and any variations in the context but must include 'observable behaviours'—the behaviours which must be exhibited by the learner when carrying out the task.

APPLYING THE RULES OF EVIDENCE

The evidence used to decide about competence must be valid, sufficient, authentic and current. When evidence gathering to make the assessment judgements, RTOs must meet the **rules of evidence**. For each rule of evidence (taken from the Standards and italicised), the table below indicates how the RTO can apply these through the assessment system and processes.

TABLE 1.8-2: RULES OF EVIDENCE

Validity	<p><i>The assessor is assured that the learner has the skills, knowledge, and attributes as described in the module or unit of competency and associated assessment requirements.</i></p> <p><u>Applying the rule of evidence for VALIDITY in your RTO:</u></p> <ul style="list-style-type: none"> • Ensure that all the evidence gathered through assessment tools is directly related to one or more aspects of the competency being assessed. • Ensure there is a direct relationship between the assessment tasks or activities learners undertake, the evidence presented and the assessment requirements.
-----------------	--

Sufficiency *The assessor is assured that the quality, quantity, and relevance of the assessment evidence enables a judgement to be made of a learner's competency.*

Applying the rule of evidence for **SUFFICIENCY** in your RTO

- Gather enough evidence to be confident that the evidence accurately reflects the learner's achievement of each unit requirement across a range of contexts, processes, and materials.
- The quantity of evidence may vary between learners. Some may take longer or need to complete a greater number of attempts to demonstrate a skill or an item of knowledge. Others may, despite repeated opportunities, not be able to perform the skill.

TABLE 1.8-2: RULES OF EVIDENCE**Authenticity**

The assessor is assured that the evidence presented for assessment is the learner's own work.

Applying the rule of evidence for **AUTHENTICITY** in your RTO

- Ensure that evidence gathered 'belongs' to the learner being assessed and provides evidence of that person's skills and knowledge and is not the work or performance of another or a group. This is particularly challenging if the evidence was not gathered under your direct observation, such as evidence offered of past performance or gathered on-line.
- Verify that the person you are enrolling, training, and assessing is the same person that will be issued with a qualification or Statement of Attainment. This can be particularly challenging if you deliver distance training, including through online methods, where there are more opportunities for learners to submit the work of others than there are in a 'traditional' classroom setting. This does not remove your responsibility to verify the identity of a learner enrolled in a face-to-face course, but it is clearly easier to do this through direct interaction with the learner. Regardless of the delivery method, you must be able to demonstrate how you have verified the identity of the learner.

Currency

The assessor is assured that the assessment evidence demonstrates current competency. This requires the assessment evidence to be from the present or the very recent past.

Applying the rule of evidence for **CURRENCY** in your RTO

- Decide how credible the evidence is, given the time that has passed since the evidence was generated. Currency is important in determining if a learner is competent. Currency is a particular risk with recognition of prior learning, as you may be presented with a range of evidence gathered over several years. This does not mean evidence that is not recent is not valid; however, you must ensure there is sufficient evidence of the person's competence at the time you make the assessment decision.
- You must determine whether the evidence is recent enough to show the learner is competent at the time you make an assessment decision. For example, a computer programmer who has 10 years' experience but has not been directly involved in hands-on programming work for the past three years may not have current skills in or knowledge of contemporary programming methods. However, the programmer may be able to update their skills and knowledge through a 'gap training' program. This varies to some extent between industries and, as a person with current industry skills and knowledge, an assessor is well placed to make

TABLE 1.8-2: RULES OF EVIDENCE

this judgement. In general terms currency is guaranteed by having the person perform the skills in your presence.

WHAT THIS CLAUSE MEANS FOR YOUR RTO

For a learner to be assessed as competent, the RTO must ensure each learner demonstrates their:

- ability to perform relevant tasks in a variety of workplace realistically simulated workplace situations
- understanding of what they are doing, and why, when performing tasks, and
- ability to integrate performance with understanding, to show they can adapt to different contexts and environments.

A learner must:

- be assessed against all the skill and knowledge requirements identified in the unit or module and its assessment requirements, and
- demonstrate they are capable of performing these tasks to the level required in the workplace.

When developing assessment materials, use the information from the unit or module elements, performance criteria and assessment requirements to determine what competence looks like. Use this information to set benchmarks for measuring the learner's performance using 'observable behaviours'. This will ensure the learner has:

- actually performed all the required tasks; and
- demonstrated their ability to do so in different contexts and environments.

Assessment must always be based on the performance of the individual learner. If assessment tasks are undertaken as a group, each learner must be assessed on each component of the task (authenticity). Do not assume that because a group of learners completed a task, each of them is competent.

Recognition of prior learning (Clause 1.12) is a form of assessment of a learner's competence that follows from the decision that they do not need to do the training. The judgement that a candidate is able to 'by-pass training' and is ready to undertake assessment will be based upon the skills and knowledge attained elsewhere, either from formal, non-formal and informal learning.

Where assessment is completed via recognition of prior learning, the requirements of the Standards do not change, although the variety of evidence gathered and considered in making an assessment decision may be greater than when assessment is completed through 'traditional' assessment activities. Similarly, distance and online delivery methods may change the type of evidence considered, although the same requirements apply. Regardless of the mode of delivery, the RPL assessment must be conducted with the same rigour as any other form of assessment and must meet all the Principles of Assessment and all the Rules of Evidence.

When planning assessment, ensure you address all of the elements of competency (and their performance criteria) and all the assessment requirements of the unit or module. This does not mean you have to develop separate assessment activities for each item, but that, as a whole your assessment activities must cover every area required. To achieve a 'competent' result, learners must meet all the requirements of the unit. While you can gather evidence of different parts of a unit at different times, you must always keep an element's performance criteria together, so that all are observed at the same time in the same task.

As similar requirements are often expressed in multiple units of competency, you can often 'cluster' a number of units together for assessment to avoid repeating assessment of the same tasks. If you do this, take care to address all relevant environments and contexts in the assessment process and to meet any pre-requisite requirements for every unit or module in the cluster. Analysis of each individual requirement across the cluster of units will reveal where such assessment methods are appropriate and where discrete assessment activities may be required.

A GUIDE TO COMPLIANCE

RTOs must be able to demonstrate that the assessment requirements of the units from the training package or accredited course have been understood and followed, that strategies are in place to gather evidence that meets the rules of evidence, and that the assessment system and the assessment judgements meet the principles of assessment. This applies to all forms of assessment, including RPL.

Review the evidence-gathering tools you are using to ensure that they are a complete reflection of the requirements of the unit of competency. This could be done through an assessment mapping matrix. Check the mapping and the tools to ensure that every unit requirement is evidenced at least once (more often if required in the unit's assessment requirements), that the correct kind of evidence is being gathered for skills and for knowledge, that performance criteria for an element are always evidenced together, that the task required in the assessment tool accurately reflects the element and all its performance criteria, and that there is no irrelevant or spurious evidence gathered in the assessment tools.

Consider how the evidence is recorded and used to make the assessment decision. Where an aspect of performance is unsatisfactory, how is this addressed? Does this lead to retraining and/or reassessment? How do you ensure that you only award "competent" to someone who has demonstrated all of the unit requirements?

Consider also any unusual or special circumstances, such as clustered assessment, Reasonable Adjustment, distance learning, third-party observation, and RPL. In utilising these strategies have the requirements of the Standards been met?

There is some overlap with the next set of clauses relating to assessment validation. In the above, the focus is on valid design, valid materials and valid processes. In the next section we add to these valid application, including the need to demonstrate that the tools have been used correctly by the observers and assessors.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with conducting effective assessment (Clause 1.8).

LINKED CLAUSES FOR 1.8	
1.1 & 1.2	Assessment strategies and time are sufficient to enable a learner to achieve competency
1.3b	There are sufficient resources (assessors, learner support, assessment resources and facilities) to implement the assessment strategy
1.4	Assessment strategies meet the requirements of the units of competency or accredited modules
1.5 & 1.6	Assessment strategies and tools are informed by industry engagement and utilised by assessors with current industry skills
1.7	Candidates can access support to meet their needs and challenges
1.8	Adjustments to meet individual needs and support fairness
1.9 – 1.11	The development and implementation of assessment strategies are systematically validated
1.12	RPL assessment is offered to all learners
1.13 – 1.16	Assessments are conducted by appropriately qualified assessors
1.17 – 1.20	Supervision is provided for assessors who are not qualified
2.1 – 2.4	Assessments are quality assured if delivered by the RTO or under a third-party agreement
3.1	Certificates are only issued after a learner has successfully completed an assessment
3.5	Offering credit to previously trained learners
4 & 5	Potential and current learners are fully informed of assessment processes and responsibilities.
6	Learners can appeal assessment decisions
8.5 & 8.6	Assessments must be conducted in a manner compliant with industry regulations

Systematic Validation of Assessment (clauses 1.9 – 1.11)

Clause 1.9

The RTO implements a plan for ongoing systematic validation of assessment practices and judgements that includes for each training product on the RTO's scope of registration:

- a) when assessment validation will occur
- b) which training products will be the focus of the validation
- c) who will lead and participate in validation activities; and
- d) how the outcomes of these activities will be documented and acted upon.

Clause 1.10

For the purposes of Clause 1.9, each training product is validated at least once every five years, with at least 50% of products validated within the first three years of each five year cycle, taking into account the relative risks of all of the training products on the RTO's scope of registration, including those risks identified by the VET regulator.

Clause 1.11

For the purposes of clause 1.9, systematic validation of an RTO's assessment practices and judgements:

- a) must be undertaken by one or more persons who collectively have:
 - i) vocational competencies and current industry skills relevant to the assessment being validated;
 - ii) current knowledge and skills in vocational teaching and learning; and
 - iii) the training and assessment credential specified in Item 2 or Item 5 of Schedule 1; and
- b) may be undertaken by persons involved in the delivery and assessment of the training product being validated provided they are not solely responsible for determining the outcomes of validation.

WHAT THIS CLAUSE MEANS FOR YOUR RTO –

Assessment validation in Clauses 1.9 – 1.11 of the Standards relates primarily to the actual delivery and outcomes of the RTO's assessment systems, including the performance of the RTO's assessors. Unlike clause 1.8, the assessor and others involved in the evidence-gathering process are also being validated, so they cannot conduct the validation.



Assessment validation should answer the question: 'Do the assessment practices meet the requirements of the training package and the Standards for RTOs **and** are assessment judgements being consistently applied so that certification issued is accurate and credible?'

The overall outcome of assessment validation is to ensure:

- assessments are valid and meet the training package or VET accredited course requirements
- the principles of fairness, flexibility, validity and reliability are met
- the evidence used to make a decision about competence is valid, sufficient, authentic and current
- assessors are familiar with the outcomes being assessed
- assessors reach accurate and consistent decisions that inform assessment outcomes, and
- potential improvements to assessment practices are identified and acted upon.

Validation of assessment

The emphasis in the Standards on validation of assessment demonstrates that getting validation 'right' is critically important to improving assessment.

The TAC Fact Sheet [Assessment Validation](#) provides guidance on this critical RTO responsibility.

A well-developed and systematic approach to assessment validation could significantly reduce or eliminate assessment concerns. It has the potential to enhance the assessment process, methods, instruments and the outcomes of assessment. Getting validation right will raise the confidence and trust of industry, learners, the community, trainers and assessors.

Validation is a process that is undertaken during the development of assessment tools (pre-use), during the use of the assessment tools, and after the assessment tools have been used and the assessment judgements have been made (post-use).

When you are validating an assessment judgement you are seeking to confirm that:

- The judgement is only based on evidence reflecting all the requirements of the unit of competency; and
- All the evidence contributing to the judgement meets all the **Rules of Evidence**.

The Standards require that you have a formal plan for assessment validation. When developing your plan for validation, remember that:

- each training product on your RTO's scope of registration must undergo validation at least once every five years
- you must ensure your plan allows for validation of at least 50% of the training products in the first three years of that cycle, and
- you may need to validate certain training products more often where specific risks have been identified, for example, if your RTO's industry consultation identifies areas of particular risk.

TAC may from time to time determine specific training products that must have particular attention paid to them and this advice will be published in TACs Regulatory Strategy and can be found on the [TAC website](#).

Sampling approach to validation

When validating the assessment practices and judgements for a whole qualification of skill set a sample of at least two units of competency must be validated. It is wise to validate units that are characteristic of the qualification or skill set, rather than generic or foundation units. It is anticipated that in larger qualifications more units may be validated using a risk analysis approach based on the complexity of the qualification and the risks associated with each unit of competency. If the validation indicates that assessment processes are not valid then more units should be validated.

When validating stand-alone units of competency, samples of assessment judgements for each unit must be validated.

When you have identified the units to be validated, your RTO must systematically conduct validation activities to confirm assessment judgements are being made correctly. While you are not required to validate every assessment, judgement made for the unit, a valid sampling approach provides a quality review process and allows a reasonable inference to be made that assessment judgements have been valid overall.

Make sure that the sample of assessment judgements selected for validation is random and that it is representative of all assessment judgements. This will allow you to reliably predict the likelihood of any assessment judgement being valid. The TAC Fact Sheet [Assessment Validation](#) provides some useful advice for selecting a suitable validation sample.

The method an RTO uses to determine its assessment validation sample is an individual RTO decision. An RTO must validate a random sample of assessments. The selection of a completely random sample has many strengths, but the critical aspect of any sample is that it must be sufficient to test consistency of assessment decisions across each training product. It is suggested that a 'stratified random sample' be used. This involves identifying distinct groups of candidates (such as campus based, workplace based, RPL, etc) and randomly selecting the assessments of two students from each group for close analysis.

Over time, all assessors, assessment methods and tools should be included in the sample. It is good practice to document all sampling strategies in a written validation procedure.

There are several key features that should be considered in selecting an assessment validation sample including (but not limited) to:

- student enrolment numbers in each training product
- scope of delivery
- feedback from clients, trainers and students
- complaints received – formal or informal
- completion rates
- risk level of a training product
- assessment mode (simulation, workplace, RPL)
- introduction of new assessment activities/ tools
- introduction of new training products
- new assessors

- third party arrangements; and
- previous issues or problems identified from assessment validation.

People undertaking validation

People involved in validation must collectively have:

- vocational competencies and current industry skills relevant to the assessment being validated
- current knowledge and skills in vocational teaching and learning, and
- the training and assessment credential specified in the Standards.

Validation may be undertaken through a 'team' approach where, collectively, team members hold the required qualifications, skills, and knowledge. Trainers and assessors who were involved in the delivery and assessment of the training product being validated can contribute to validation activities, provided they are not solely responsible for determining the outcomes of validation.

The assessment validation team or person should have access to the same evidence in the sample that the assessor used to make the original assessment judgment. This is so the validator/s can reliably ensure that the assessment practice and judgement are valid. This has implications for record-keeping and documenting assessment evidence and assessment judgements.

A GUIDE TO COMPLIANCE

The type of evidence you should retain to demonstrate your assessment system's effectiveness depends to some extent on the context in which it is to be used.

- In the case of an organisation seeking to register as an RTO or to add a new qualification to its scope of registration — you must provide documentation on the assessment system accompanied by assessment materials fully addressing the relevant unit of competency, module, or cluster.
- Where learners have completed the unit being examined—you must also provide completed assessment items, including the evidence considered when the assessment was conducted, who the assessor was, and the outcome.

An RTO with a well-designed assessment system and accompanying validation processes that are fully implemented will be able to demonstrate that their assessment judgements

- align with the requirements expressed in the unit of competency or module; and
- comply with the Standards.

An RTOs assessment system exhibits compliance by being:

- Valid
 - covering all the requirements of the unit of competency
 - reflecting the unit of competency/qualification requirements regarding assessment
 - reflecting actual work performance, and
 - providing students with adequate access to real workplaces or realistic simulated workplaces.

- Sufficient
 - enabling competency to be demonstrated over a period of time and different occasions/contexts reflecting realistic industry specifications
 - gathering of sufficient evidence to make a judgement of competency; and
 - providing sufficient time for students to demonstrate competency (e.g. particularly for short duration programs).
- Authentic
 - methods to identify and verify the learner undertaking assessment and to verify the veracity of the evidence gathered (e.g. to address the risks of online assessment)
- Fair
 - provision of clear and appropriate instructions to students and assessors about how, what, when and where assessment is to be undertaken to ensure everyone is fully informed about the assessment task and what is required to be deemed competent; and
 - the assessment is appropriate for the AQF level (not too simple nor too complex).

RTOs should compare assessment evidence to the requirements of the unit of competency or cluster of units to determine whether:

- the decision was based on sound assessment practices; and
- the decision was made after consideration of evidence against all the relevant requirements, including the principles of assessment and rules of evidence.

Part of the evidence that assessment has been conducted adequately will be the evidence criteria used by assessors to judge the quality of performance and make their decisions. This could be in the form of model answers or responses, samples of work items that meet specifications or more general guidance for assessors as to what the characteristics of satisfactory responses or behaviours look like. How prescriptive such material is depends on the nature of the unit—units from lower AQF level qualifications will tend to be more prescriptive with 'correct' responses, while those at higher levels may have broader guidelines.



When applying to become an RTO, you must demonstrate that your organisation has developed all required assessment systems and materials for the scope of registration applied for.

As no assessment decisions will have been made and the validation activities required by the Standards will not have been undertaken, new applicants need only be able to demonstrate how validation activities will be undertaken in a systematic way.

Case Study: Assessment Validation



Top marks for JKL Training's assessment

JKL Training delivers a range of qualifications, mostly through face-to-face delivery at its CBD location. Assessment via RPL is also carried out for some corporate clients who need their staff to hold certain skill sets to meet regulatory requirements.

JKL Training has an assessment system containing a range of procedures outlining how to:

- develop assessment materials
- test and approve assessment materials before use
- undertake assessment
- record and retain assessment evidence; and
- validate assessment judgements.

This system means that JKL Training ensures:

- assessors verify that all assessment tasks have been completed for each learner prior to submitting assessment results for finalisation by the Training Manager
- that only those who have demonstrated all requirements are awarded the unit; and
- all assessment work including completed assessment tools and checklists and the assessor's final verification are saved to a network drive. In cases where assessment work cannot be saved in this way (e.g. physical items), photographs that record the characteristics of the work are saved with the rest of the assessment material.

Because the assessment process is systematic and comprehensive records of assessment are retained, JKL Training demonstrates that all assessment decisions have been made correctly and validation activities are conducted efficiently and quickly. JKL Training stores all records digitally which avoids expensive storage fees and ensures backup copies of all records are made automatically.

Every six months, JKL Training holds a validation workshop that includes:

- review of a random sample of assessments completed over the past six months
- assessments are reviewed by one or more persons
- validators use a validation checklist to note their decision as either 'confirmed' or 'not confirmed'
- where judgements are not confirmed, reasons are recorded in the checklist and remedies determined
- where assessment judgements are 'not confirmed', these are reviewed within 30 days to confirm required improvements are made to assessment processes or materials; and
- sessions to examine the assessment system itself, to confirm the RTO produces graduates with the required skills and knowledge. These sessions involve industry stakeholders who provide feedback on whether the assessment system has produced suitable graduates.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with systematic validation of assessment (clauses 1.9 - 1.11).

LINKED CLAUSES FOR 1.9 – 1.11	
1.1 & 1.2	The RTO has verified that learners had sufficient time to undertake assessments
1.3	The RTO verifies that it provides sufficient appropriate resources to deliver valid assessments across its training products
1.4	The RTO verifies that assessment strategies and resources comply with training package or accredited course requirements
1.5 & 1.6	The RTO verifies that assessors and observers have suitable industry skills to support the development and/or application of the assessment tools
1.7	The RTO verifies that students are provided with appropriate support services during the assessment process
1.8	The RTO verifies that assessment strategies and tools have been developed according to the principles of assessment and the rules of evidence
1.12	The RTO confirms that RPL is available to all eligible learners
1.13 – 1.16	The RTO confirms that assessors are suitably qualified
1.17 – 1.20	The RTO confirms that only qualified assessors make assessment judgements, and that others involved in the assessment process are properly supervised
2.1 – 2.4	The RTO ensures that assessment validation is incorporated into its quality policies and procedures, including assessment services delivered on its behalf by third parties
3.1	The RTO ensures that AQF certification is only issued to a learner who has been assessed by the RTO
4 & 5	The RTO confirms that potential and current learners are fully informed of the assessment processes involved in their chosen course.
6	The RTO confirms that all learners are informed of their right to appeal and utilises information from appeals in its validation reviews.
8.5 & 8.6	The RTO confirms that all assessments comply with relevant industry regulations.

Conduct effective assessment (clause 1.12)

Clause 1.12

The RTO offers recognition of prior learning to individual learners.

Recognition of prior learning (RPL) is an assessment process that assesses the competency/s of an individual that may have been acquired through formal, non-formal and informal learning to determine the extent to which that individual meets the requirements specified in the training package or VET accredited course (Standards for RTOs, Glossary, p11)

WHAT THIS CLAUSE MEANS FOR YOUR RTO

On the face of it, Clause 1.12 only requires an RTO to make the recognition of prior learning accessible to all learners. However, the quality of the RPL process is specified in Clause 1.8 and the validation of RPL processes is addressed through Clauses 1.9 – 1.11.

RTOs usually offer RPL to learners through information provided on their website, handbook, or course brochures. This information leads the learner to an RPL application process and often to an RPL Kit to guide both the learner and the assessor through a formal structured process.

The first step of RPL is to establish whether a learner has probably had sufficient prior training and experience to justify skipping the training component and going direct to assessment. Its function is to determine if the learner is ready for assessment, or if training is the wiser option. As this evidence is being used to determine if RPL is the appropriate pathway and is not yet being used to determine competence, it does not need to meet the rules of evidence (clause 1.8).

Once the RTO has decided to offer RPL, a comprehensive assessment process needs to be conducted. These assessments must comply fully with all the requirements of Clause 1.8, including the Principles of Assessment and the Rules of Evidence as evidence from the past offered by the learner cannot be guaranteed to meet any of the rules of evidence (Clause 1.8b) as it may not fully reflect the Standards (validity), may not be the applicant's own work (authenticity), may not reflect current capabilities (currency) and may not be sufficiently diverse or consistent (sufficiency).

In offering RPL to learners, RTOs need to:

- make clear in their RPL information that this is not a soft assessment option, and that it involves a substantial commitment of time and effort by both parties to undertake full assessments. This might have significant cost implications for the RTO and the learner; and
- be aware that applicants for RPL may not have had the benefit of being immersed in a competency-based training program and may find the assessment process strange and unfamiliar. RPL candidates may need additional support to assist them to understand competency-based assessment and competency standards.

The RPL information provided on the RTO website, brochures, handbook and/or RPL Kit for learners could include:

- purpose and nature of RPL
- identify the kind of work, training and/or life experiences that might have contributed to learning
- RTO support services, including the RTO's RPL advisor
- preparation for the RPL process and likely timeframe from application to outcome;
- pre-assessment process, formal assessment process and possible outcomes
- time and fees involved, and
- right to appeal RPL outcomes.

A GUIDE TO COMPLIANCE

Compliance with this clause is only a matter of offering RPL to individual learners to ensure that they are aware of this alternative. **Assessments associated with the RPL process itself are audited under Clauses 1.8 – 1.11.**

The TAC Fact Sheet [Recognition of Prior Learning](#) provides guidance on this critical RTO responsibility.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with conducting effective assessment (clause 1.12).

LINKED CLAUSES FOR 1.12

1.1 & 1.2	The RTO determines the amount of training associated with RPL
1.3	The RTO ensures that sufficient and appropriate resources are available to offer and deliver RPL.
1.4	The RTO ensures that RPL meets the requirements of the Training Package or Accredited Course.
1.5 & 1.6	The RTO ensures that persons with suitable industry skills derived from industry engagement are available to assist with RPL, specifically with the interpretation of past industry experience.
1.7	RPL candidates are provided with sufficient support services to enable them to undertake RPL.
1.8	The RPL assessment process complies with the Principles of Assessment and the Rules of Evidence.
1.9 – 1.11	A sample of RPL assessments is included in the assessment validation process.

LINKED CLAUSES FOR 1.12

1.13 – 1.16	Only qualified assessors are involved in the development and delivery of RPL assessment processes.
1.17 – 1.20	Where persons who are not fully qualified assessors are involved in the RPL process they are working under supervision and do not make the assessment decision.
2.1 – 2.4	The RTO's RPL processes are reviewed and managed through the RTO's quality assurance processes, including where RPL is delivered in the RTO's behalf by third-party arrangements.
4 & 5	The RTO's RPL processes are accurately, and accessibly marketed, and prospective and current learners are fully informed of their rights to RPL.
6	RPL candidates are informed of their right to appeal, and assessment made under RPL.

Employ skilled trainers and assessors (clauses 1.13 – 1.16)**Clause 1.13**

In addition to the requirements specified in Clause 1.14 and Clause 1.15, the RTO's training and assessment is 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 training delivery and/or the assessment judgement, working alongside the trainer and/or assessor to conduct the training and/or assessment.

Clause 1.14

The RTO's training and assessment is delivered only by persons who have the training and assessment credential specified in Item 2 or Item 3 of Schedule 1.

Clause 1.15

Where a person conducts assessment only, the RTO ensures that the person has the training and assessment credential specified in Item 2, or Item 3, or Item 5 of Schedule 1.

Clause 1.16

The RTO ensures that all trainers and assessors undertake professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment.

WHAT CLAUSE 1.13-1.16 MEANS FOR YOUR RTO

The VET sector has long required its practitioners to be dual professionals, specifically as trainers and assessors as well as industry specialists. This requirement has been consistently supported by the sector's governing bodies and ensures that the 'right person' provides quality training and assessment to the learner.

To provide training that reflects current industry practice and valid assessment, your RTO's trainers and assessors must maintain the currency of their skills and knowledge in their industry area and in vocational education and training.

The VET trainer and assessor must have five critical qualities relevant to their training and assessment delivery:

1. Vocational competence (or equivalent)
2. Current industry skills
3. Current knowledge and skills in VET
4. VET trainer and assessor qualifications; and
5. Active participation in professional development for all the above.

Industry Experts

Previously, industry experts were able to work alongside a trainer and assessor to conduct assessment, for example by giving feedback or making observations. The early changes expand the role of industry experts by allowing them to also assist a fully qualified trainer and assessor in the delivery of training.

Although the early changes enable the broader use of industry experts, they also impose parameters to maintain the quality and integrity of training. A definition of 'industry expert' has been introduced to clarify obligations for RTOs around the use of industry experts, and RTOs will need to ensure experts have specialised industry or subject matter expertise, relevant vocational competencies and current industry skills directly relevant to the training being provided.

It is important to note that where an RTO engages an industry expert, they will continue to be required to work together with a fully qualified trainer and assessor in the delivery of training and assessment, and qualified assessors must still be fully qualified, meet the threshold required by the Standards and be responsible for making assessment judgements.

Vocational competence

Within the VET sector, vocational competence in a particular industry consists of broad industry knowledge and experience, usually combined with a relevant industry qualification. A person who has vocational competency will be familiar with the content of the vocation and will have relevant and current experience in the industry. Vocational competencies must be considered on an industry-by-industry basis and with reference to the guidance provided in the assessment guidelines of the relevant training package.⁴

In most situations trainers and assessors will hold the qualifications and/or units of competency that they deliver or assess, but where this is not the case, equivalence needs to be demonstrated.

Evidence used to demonstrate equivalence of vocational competency may include relevant past training (including superseded and pre-existing industry qualifications), experience and professional development. Equivalence is commonly demonstrated by an individual through mapping this evidence against all the specific requirements of the unit of competency. This process may or may not identify gaps that need to be addressed.

The determination of equivalence is the responsibility of the employing RTO and is subject to audit. This is not a formal assessment process (such as RPL), and so does not lead to the award of a unit or a qualification.

⁴ <https://www.voced.edu.au/content/glossary-term-vocational-competency>

For further information on procedures to determine equivalence see the TAC Fact Sheet [Vocational Competence and Industry Currency](#).

Current Industry Skills

'Current industry skills' means that the trainer/assessor has a thorough understanding of how the unit of competency to be delivered and/or assessed actually works within the workplace to current workplace standards.

This means that the trainer and assessor understand how the competency connects with the other competencies of the learner to produce industry outcomes, how the competency of the learner relates to the competencies of co-workers to be an effective part of the workplace team, and how the competency relates to and meets the needs of clients in the workplace. This needs to be a broad understanding across many different applications of the competency in many different workplaces, not just based on the personal experience of the trainer/assessor and needs to be kept up to date through continuing engagement with industry (Clauses 1.5 and 1.6). Having current industry skills means that trainers will be able to enrich the delivery of the unit of competency with the 'real feel' of current industry practices and be able to set the workplace context of assessments so that reliable inferences can be made about workplace readiness.

Current VET skills and knowledge

Like all VET, training as a VET trainer and assessor reflects the industry requirements of the time. The VET sector is characterised by change, so it is important for every VET trainer and assessor to keep pace with:

- Changes in VET Standards
- Changes in VET paradigms, protocols and practices
- Changes in VET cohorts, and
- Changes in VET regulations and legislation.

Clause 1.16 requires all VET trainers and assessors to undertake professional development to maintain their vocational competencies, current industry skills and VET skills and knowledge. There is a range of strategies to engage with professional development, including:

- Industry engagement (see clauses 1.5 and 1.6);
- Workshops and webinars
- Further training
- Professional associations, and
- Reading (internet, [TAC Fact Sheets](#) and [Users' Guides](#))

VET Trainer and Assessor Qualifications

These are set out in clauses 1.14 and 1.15 of the Standards. These clauses make reference to Schedule 1 of the [Standards](#). As the Schedules change from time to time, it is important that you refer to the current compilation of the Standards. The TAC Fact Sheet [Trainer and Assessor Regulatory Requirements](#) also provides information.

Professional development

The RTO must ensure that all trainers and assessors undertake professional development in VET, and specifically in competency-based training and assessment. This includes trainers and assessors employed or contracted by the RTO and those engaged by a third-party delivering training and assessment on behalf of the RTO. The Standards do not prescribe how often professional development must occur, but it must be sufficient to ensure trainers and assessors maintain currency of knowledge and skills in vocational training, learning and assessment. Simply delivering training and assessment does not constitute professional development.

A GUIDE TO COMPLIANCE

Evidence relating to the industry skills of trainers and assessors can take many forms. If a trainer and assessor hold the qualification they are delivering and has recent extensive broad industry experience, this may be sufficient to demonstrate they hold both vocational competencies and current industry skills.

In some cases, people may have significant industry experience but not hold any formal qualifications—in such cases, you would need to analyse the skills and knowledge they have been assigned to deliver and verify that they have equivalent competence derived from industry experience. Consider all units of competency (including electives) in this analysis to ensure that you are meeting the requirements for trainers and assessors specified in the training package or accredited course.

To confirm trainers and assessors have current industry skills, and all training and assessment is delivered by people who are themselves competent practitioners, RTOs should ideally ensure that trainers and assessors are regularly exposed to industry workplaces and participate in workplace tasks. Training and assessment should only be provided by those who have current industry skills and knowledge and is best provided by those who can undertake all the tasks defined in the elements of units of competency and modules to industry standards.

RTOs must retain evidence that all trainers and assessors have undertaken relevant professional development in VET. The Standards do not prescribe what format this evidence takes, but you may choose to include registers of development activities undertaken.

In all cases, RTOs are expected to take appropriate steps to verify information provided by a trainer/assessor. This may include:

- contacting the provider named on the person's qualification to confirm that the document is genuine, and
- conducting referee checks at the time of employment to confirm relevant industry experience.

You should retain evidence of:

- how you have appropriately verified this information, and
- the results of your engagement with industry to confirm the required skills and knowledge for trainers and assessors.



When applying to become an RTO, you must provide evidence that:

- trainers and assessors are available to the organisation to deliver all training products applied for and that they meet all of the requirements of the Standards for RTOs; and
- your organisation has processes in place to ensure all trainers and assessors will undertake relevant professional development in VET.

Case Study: Skilled trainers and assessors



Making sure the trainer is trained

MNO Community College employs seven part-time trainers and assessors as staff members and engages another three contractors as needed. To ensure their trainers and assessors have all the required skills and knowledge, the provider requires anyone employed or contracted as a trainer and assessor to hold the current *Certificate IV in Training and Assessment* prior to being engaged. As part of the induction process (for both employees and contractors), all qualifications are verified with the issuing RTO where possible and comprehensive referee checks are carried out. MNO Community College keeps records of these activities in the person's human resources file.

MNO Community College requires that all trainers and assessors undergo a minimum of 20 hours of formal professional development in training and assessment each calendar year (MNO Community College pays the cost of this for employees, but not for contractors). Both staff members and contractors must seek prior approval to have professional development counted towards their 20 required hours, allowing MNO Community College to ensure the development activity is suitable.

Both staff members and contractors must undergo a skills and knowledge evaluation in their industry area at least annually (which most demonstrate by providing evidence of work conducted in the industry). Any trainers not currently working in the relevant industry are required to provide alternative evidence of current skills and knowledge.

As part of its industry engagement strategy, MNO Community College meets annually with industry representatives to review the required industry skills and knowledge for trainers and assessors to ensure they continue to meet industry expectations.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with trainer and assessor requirements (Clauses 1.13 - 1.16).

LINKED CLAUSES FOR 1.13 – 1.16

1.3	The RTO has sufficient qualified trainers and assessors to service its scope.
1.5 & 1.6	Trainers and assessors regularly engage with industry and build their industry skills.
1.8	Only qualified assessors develop assessment resources and make assessment decisions.
1.9 – 1.11	Qualified trainers and assessors are involved in validating assessment strategies, resources and outcomes other than their own.
1.12	Qualified assessors are engaged in RPL processes.
1.17 – 1.20	Qualified trainers and assessors supervise partly qualified persons engaged in training and assessment activities.
2.3 & 2.4	RTO's ensure that third-party providers utilise qualified trainers and assessors.
4 & 5	The RTO's RPL processes are accurately and accessibly marketed, and prospective and current learners are fully informed of their rights to RPL.

Provide supervision of trainers where needed (clauses 1.17 – 1.20)**Clause 1.17**

Where the RTO, in delivering training and assessment, engages an individual who is not a trainer or assessor, the individual works under the supervision of a trainer and does not determine assessment outcomes.

Clause 1.18

The RTO ensures that any individual working under the supervision of a trainer under Clause 1.17:

- a) holds a training and assessment credential specified in Item 6 of Schedule 1, that is relevant to the learner cohort which the individual is involved in training and assessing, or is actively working towards a training and assessment credential specified in Item 8 of Schedule 1; and
- 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.

Clause 1.19

Where the RTO engages an individual under Clause 1.17, it ensures that the training and assessment complies with Standard 1.

Clause 1.20

Without limiting Clauses 1.17 – 1.19, the RTO:

- a) determines and puts in place:
 - i. the level of the supervision required; and
 - ii. any requirements, conditions or restrictions considered necessary on the individual's involvement in the provision of training and collection of assessment evidence; and
- b) ensures that trainers providing supervision monitor and are accountable for all training provision and collection of assessment evidence by the individual under their supervision.

WHAT CLAUSE 1.17-1.20 MEANS FOR YOUR RTO

Where your RTO uses a person who does not hold the required competencies as a trainer and assessor, that person needs to be supervised by a qualified trainer to maintain the quality of their delivery of your training and assessment. Your RTO needs to consider what level of training and assessment skills and knowledge such a person has and make arrangements for appropriate supervision and guidance. For example, a person who has recently completed the *Enterprise Trainer—Presenting Skill Set*, but who has little or no experience as a trainer, will require a program of close supervision and mentoring until they have demonstrated a reasonable level of skill, after which the supervision requirements could be reduced (but not withdrawn altogether).

Regardless of their skills and knowledge, a person that does not hold the required competencies:

- must be supervised; and
- must not determine assessment outcomes.

Persons working under supervision can participate in the assessment process, and can gather evidence, but the actual determination of Competent or Not yet competent can only be done by a fully qualified assessor.

Regardless of the training and assessment competencies held by a person, training must only be provided by those who have vocational competencies and current industry skills and knowledge. Training is best provided by those who can undertake all the tasks defined in the elements of units of competency and modules to industry standards.

The supervising trainer and assessor:

- is responsible for the quality of training delivered; and
- makes all final decisions about assessment outcomes.

The TAC Fact Sheet [Trainer and Assessor Regulatory Requirements](#) also provides information.

A GUIDE TO COMPLIANCE

An RTO that does not have any people delivering training or assessment under supervision does not need to retain evidence in this area, however it would be prudent for an RTO to consider how it would meet these requirements if the need arose.

The level of formality needed in supervision arrangements will depend on many factors, including the number of people working under these arrangements. Regardless, RTOs must retain evidence of not only what the arrangements are, but that they have been fully implemented and have resulted in training and assessment services that comply with Standard 1.

If you have many people working under supervision, a formal framework of supervision, review and monitoring may be needed. If the arrangements are for a very small number of people or for a short time only (e.g. while a new trainer completes a qualification), more informal arrangements (such as a weekly review/feedback session) may be appropriate.

Evidence that supervision arrangements have been implemented could include:

- completed review documentation showing that a trainer and assessor has monitored training by observing training sessions and providing feedback to the person being supervised
- completed assessment materials showing that the supervising trainer and assessor has made the final assessment decisions, and/or
- interviews with both people to confirm that the arrangements have been implemented as planned.



When applying to become an RTO:

- If your organisation does not intend to have any people delivering training or assessment under supervision, you do not need to provide evidence in this area.
- If you intend to have people delivering training or assessment under supervision, you must provide evidence that suitable supervision arrangements have been developed.

Case Study: Supervision of trainers:



Watching the trainers

PQR Education delivers a range of 'trade' qualifications to apprentices. The RTO recruits trainers and assessors directly from industry, preferably those who wish to continue working in their trade part-time. This means that PQR often has new trainers and assessors who do not have the required qualification to provide unsupervised training and assessment.

Because new trainers are hired regularly, PQR Education has established a formal framework of supervision and mentoring for new staff. All new staff are required to undertake the *Certificate IV in Training and Assessment* with an RTO engaged by PQR Education. Staff undertake a customised program that focuses on the challenges of delivering trade qualifications in a blend of workplace and offline delivery modes.

A mentor is assigned to work with the new staff member until they have completed the qualification. This ensures very close supervision at the beginning of the program, with the mentor observing at least two training sessions per week. This gradually decreases as the trainer reaches predetermined competency milestones and ceases once the *Certificate IV in Training and Assessment* has been achieved.

A formal review is held each Friday to provide feedback and consider any assessment evidence. Review sheets are signed by both parties and retained in HR files of both the new staff member and the mentor. When the trainer has completed the *Certificate IV in Training and Assessment*, the mentor is also required to confirm that the person has met the requirements of PQR Education to provide unsupervised training and assessment.

LINKED CLAUSES

For ease of navigation, the table below identifies other Clauses within the Standards for RTOs associated with working under the supervision of a trainer (clauses 1.17 - 1.20).

LINKED CLAUSES FOR 1.17-1.20

1.13 – 1.16	Requirements for trainers and assessors.
-------------	--

Employ experts to teach trainers and assessors (clauses 1.21 – 1.25)

Clause 1.21 Deleted

Clause 1.22

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

Clause 1.23

To deliver the training and assessment credential specified in Item 2 of Schedule 1 the Assessor Skill Set or the Teacher Enhancement Skill Set from the Training and Education Training Package (or its successor), the RTO must ensure all trainers and assessors delivering the training and assessment:

- a) hold the training and assessment credential specified in Item 7 of Schedule 1; or
- b) work under the supervision of a trainer that meets the requirement set out in (a) above.

Clause 1.24

The RTO must ensure that any individual working under supervision for the purposes of Clause 1.23 b):

- a) does not determine assessment outcomes; and

holds the holds the training and assessment credential specified in Item 2 of Schedule 1.

Clause 1.25

To deliver any AQF qualification the Assessor Skill Set or the Teacher Enhancement Skill Set from the Training and Education Training Package (or its successor), the 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).

WHAT CLAUSE 1.21 - 1.25 MEANS FOR YOUR RTO

It is critical that training products from the *Training and Education Training Package* are delivered to the highest levels of quality, so that trainers and assessors hold all the skills and knowledge required.

As with any other training product, trainers and assessors delivering TAE training products must hold current industry skills and knowledge, that is, about the VET industry. While the Standards do not prescribe how trainers and assessors must maintain this currency, it is the responsibility of your RTO to retain evidence showing:

- the current VET industry skills and knowledge of your trainers and assessors; and
- that their VET skills and knowledge directly relate to the training and/or assessment they are providing.

The industry skills and knowledge held by trainers and assessors must be consistent with those identified through your industry engagement activities and with any specific requirements expressed in the *Training and Education Training Package*.

Validation is critical in ensuring that assessment is appropriately rigorous and that graduates are fully capable of carrying out the tasks set out in their qualification. RTOs delivering or applying to deliver qualifications or skill sets from the *Training and Education Training Package* must have undergone an external, independent validation of their assessment system, tools, processes and outcomes. The extent and nature of this validation activity varies depending on whether the qualification or skill set is already on the RTO's scope of registration or not, but the validation must be carried out by someone who has had no involvement with the RTO other than conducting the validation activity.

A GUIDE TO COMPLIANCE

As detailed above, your RTO must retain evidence of the qualifications of trainers and assessors delivering these qualifications or skill sets. As with evidence relating to competence of trainers and assessors more generally, you must be able to demonstrate how you have verified this evidence.

Your application to add any qualification or assessor skill set from the *Training and Education Training Package* to your scope of registration (even if other qualifications from the *Training and Education Training Package* are already on your RTO's scope) must include evidence of:

- an external and independent validation of assessment (for any training products specified in TAC's application process); and
- the assessment system to be adopted for the training product/s being applied for, including evidence that the assessment system for the training product/s applied for has undergone an external and independent validation and will meet these requirements when fully implemented.

Where an RTO has any qualification or assessor skill set from the *Training and Education Training Package* on its scope of registration, evidence that an external and independent validation of the assessment system has been carried out for those training product/s must be retained. This must include confirmation that the assessment system and outcomes meet the requirements of Standard One and the *Training and Education Training Package*.

The TAC Fact Sheets [Trainer and Assessor Regulatory Requirements](#) and [Delivery of Training and Assessment Qualifications](#) provides guidance on this critical RTO responsibility.



If your organisation is seeking initial registration as an RTO, clauses 1.21 – 1.25 do not apply to you. An RTO is required to be registered for two years before it can apply to TAC to deliver any qualification or assessor skill set from the *Training and Education Training Package*.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with requirements for delivery of training and assessment qualifications (clauses 1.21 - 1.25).

LINKED CLAUSES FOR 1.21 - 1.25

1.13 – 1.16	Requirements for trainers and assessors.
-------------	--

Manage transitions from superseded training products (clauses 1.26 – 1.27)

Clause 1.26

Subject to Clause 1.27 and unless otherwise approved by the VET Regulator, the RTO ensures that:

- a) where a training product on its scope of registration is superseded, all learners' training and assessment is completed and the relevant AQF certification documentation is issued or learners are transferred into its replacement, within a period of one year from the date the replacement training product was released on the National Register
- b) where an AQF qualification is no longer current and has not been superseded, all learners' training and assessment is completed, and the relevant AQF certification documentation issued within a period of two years from the date the AQF qualification was removed or deleted from the National Register
- c) where a skill set, unit of competency, accredited short course or module is no longer current and has not been superseded, all learners' training and assessment is completed and the relevant AQF certification documentation issued within a period of one year from the date the skill set, unit of competency, accredited short course or module was removed or deleted from the National Register, and
- d) a new learner does not commence training and assessment in a training product that has been removed or deleted from the National Register.

Clause 1.27

The requirements specified in Clause 1.26 a) do not apply where a training product requires the delivery of a superseded unit of competency.

WHAT CLAUSE 1.26 – 1.27 MEANS FOR YOUR RTO

Learners are entitled to graduate with a qualification that most closely represents the current skill needs of industry. A qualification being superseded or discontinued is a clear indication that industry needs have changed to the extent that the previous qualification is no longer suitable.

To best meet the needs of your learners and of industry, transfer learners from superseded qualifications into a replacement qualification as soon as possible.

The TAC Fact Sheet [Transition and Teach Out](#) provides guidance on the topic and is available on the TAC website. Additional information is also available on the TAC via webpage '[Update superseded items from scope](#)'.

Superseded training products

Ensure that all learners enrolled in a superseded training product are transferred to a current training product **within one year** of the replacement being published. Before you do this, ensure that the replacement training product is on your RTO's scope of registration.

Where the developer responsible for the parent training package deems the replacement training product is **equivalent** to the superseded qualification, your RTO's scope of registration will be automatically updated by TAC to include the replacement training product. Your scope will be updated immediately after the endorsement process.

In cases where the training product is considered **not equivalent** to the earlier version, before you can transfer any learner enrolments, you will need to:

- apply to TAC for the replacement to be added to your RTO's scope of registration; and
- have that application approved.

Learners who will complete their study and will be issued with a qualification or Statement of Attainment within the one-year transition period do not need to be transferred to a replacement training product.

One year from the date it was superseded, TAC will remove the superseded training product from your RTO's scope of registration. From this date, you must not:
enrol any new learners in this training product; or
conduct any training in this training product; or
issue certification for this training product (except for when a replacement is required for certificates that have already been issued).

Removed or deleted qualifications

In some instances, training package developers determine there is no longer sufficient demand for a qualification to justify it being maintained. The qualification is removed or deleted without being superseded by another.

If there is no clearly identified replacement qualification for learners to transfer to, you may be able to identify one that is the closest to meeting your learners' needs. Whether it is practical to transfer learners to a suitable qualification will depend on a range of factors, including how close to completion each learner is, but the guiding principle should be what will best meet the needs of the learner. If completing the qualification is the best path for the learner, your RTO must ensure that all training, assessment, and issuance of certification is completed **within two years** of the date the qualification was removed.

You **must not allow a new learner** to commence training or assessment from the date a qualification is removed or deleted from the National Register.

Two years after a qualification is removed or deleted, TAC will remove the qualification from your RTO's scope of registration. From that date, you must not:

- conduct any training in the qualification or accredited course; or
- issue certification for the qualification or accredited course (except when a replacement is required for a previously issued certificate).

Removed or deleted skill sets, units, courses, and modules

Where a skill set, unit, course, or module (not attached to a qualification) is removed or deleted, your RTO must ensure that all training, assessment and issuance of certification is completed within one year of the date the skill set, unit or module was removed or deleted.

You must not allow a learner to commence training or assessment from the date a skill set, unit, course or module is removed or deleted from the National Register (training.gov.au).

One year after a skill set, unit or module is removed or deleted, TAC will remove the training product from your RTO's scope of registration. From that date you must not:

- conduct any training in this training product; or
- issue certification for this training product (except for when a replacement is required for certificates that have already been issued).

In all cases, the date shown on the National Register is considered to be the date of publication, deletion or removal.

Sometimes, a qualification or accredited course will specify a core or named elective unit or module that has been superseded, removed or deleted from another training package. In these cases, you must continue to include the component/s as named in the qualification or course being delivered.

Extensions to transition periods of training products

The Council will, from time to time, consider requests to extend the transition period of a superseded training product. The Council will only consider requests:

- from RTOs or industry groups (not learners)
- for a specific superseded training product or products
- for a specific cohort of learners (e.g. plumbing apprentices currently enrolled in a specific qualification that has been superseded)
- that demonstrate the cohort of learners would be genuinely disadvantaged if the application were not approved, and
- accompanied by evidence of support from the Skills Service Organisation of the training product and where applicable, support from the State Training Authority (e.g. where trainees/apprentices are affected) and the Department of Education (where school students are affected).

Where TAC has agreed that exceptional circumstances apply to a certain cohort of learners justifying delivery beyond the allowable timeframes, e.g. where apprenticeship arrangements necessitate, TAC will publish this information on its website. In such cases, the exemption will apply to any RTO, but only for delivery to a learner whose enrolment matches the identified

criteria. Further information related to approved extended transition periods approved by TAC can be found on the [TAC Website](#).

A GUIDE TO COMPLIANCE

The type of evidence available will differ, depending on how your RTO manages transitions.

Evidence from a student management system showing that no students were enrolled in a superseded qualification beyond the relevant date may be sufficient, particularly if the system prevents enrolment of learners into superseded, removed or deleted training products and does not issue qualifications or statements of attainment beyond the allowable timeframes.

If your RTO is using a decision made by TAC to allow delivery in specific circumstances beyond the usual allowable timeframes, retain evidence that all learners involved match the identified criteria for this delivery.



If your organisation is seeking registration as an RTO, clauses 1.26 and 1.27 do not apply to you, as it is not possible to be registered for superseded, removed or deleted training products.

STANDARD TWO

The operations of the RTO are quality assured

Context:

The RTO is ultimately responsible for ensuring quality training and assessment within their organisation and scope of registration, regardless of any third party arrangements where training and/or assessment is delivered on their behalf. This includes where the RTO subcontracts the delivery of services to a third party and the third party further subcontracts the delivery of services, but the AQF certification documentation will be issued by the RTO. The RTO must have a written agreement with any party that delivers services on its behalf.

The RTO is responsible for developing, implementing, monitoring and evaluating quality training and assessment strategies and practices that meet training package and VET accredited course requirements.

Evaluating information about performance and using such information to inform quality assurance of services and improve training and assessment is sound business and educational practice. The information used to evaluate RTO performance must be relevant to the operating characteristics and business objectives of the RTO and will vary from one RTO to another.

Standard Two: Quality assurance

HOW STANDARD TWO BENEFITS:

Learners	Learners are confident that the quality of training and assessment is monitored to ensure it meets their needs and the needs of employers.
Industry/ employers	Industry and employers know that RTOs closely monitor the quality of the training and assessment services delivered to support the needs of industry.
Governments	Governments have reduced risk, knowing they are investing in an RTO that manages quality in a systematic way.
Community	Providers use their resources efficiently by systematically measuring their actions against stakeholder expectations and national standards.

STANDARD TWO OVERVIEW

It is the responsibility of the RTO to:

- implement quality assurance strategies (Clauses 2.1 – 2.2), and
- monitor third party providers (Clauses 2.3 – 2.4)

Implement quality assurance strategies (clauses 2.1 – 2.2)

Clause 2.1

The RTO ensures it always complies with these Standards, including where services are being delivered on its behalf. This applies to all operations of an RTO within its scope of registration.

Clause 2.2

The RTO:

- a) systematically monitors the RTO's training and assessment strategies and practices to ensure ongoing compliance with Standard 1, and
- b) systematically evaluates and uses the outcomes of the evaluations to continually improve the RTO's training and assessment strategies and practices. Evaluation information includes but is not limited to quality/performance indicator data collected under Clause 7.5, validation outcomes, client trainer and assessor feedback and complaints and appeals.

WHAT CLAUSE 2.1 – 2.2 MEANS FOR YOUR RTO

Systematic monitoring of internal systems, strategies and practices allows your RTO to check that it is meeting the requirements of the Standards.

The requirement in Standard 2 goes well beyond the quality of training and assessment to include all aspects of the RTO's operations. The glossary defines 'operations' as including "training, assessment and administration and support services related to its registration, including those delivered across jurisdictions and offshore" (Standards for RTOs, Glossary, p11).

The TAC Fact Sheets [Assuring the Quality of RTO Processes, Practices and Products](#), [Continuous Improvement](#) and [Internal Audit](#) provide useful advice on the topic.

RTOs need to conduct a regular review of their training and assessment delivered by themselves or on their behalf by third parties using a range of information, including:

- quality indicator data or key performance indicators
- assessment validation outcomes
- client feedback
- trainer and assessor feedback, and
- complaints and appeals.

The RTO should use the review outcomes to decide whether changes to strategies or practices are needed. You may conduct this review in conjunction with your industry engagement activities, which relate to the ongoing monitoring of training and assessment strategies and practices.

Reviews must include any arrangements where services are provided by a third party, as the RTO is ultimately responsible for the quality and compliance of all services provided under its RTO registration, regardless of where or by whom they are delivered. Agreements with third parties are specifically addressed in Clauses 2.3 and 2.4.

A GUIDE TO COMPLIANCE

RTOs must retain evidence that:

- they have monitored and reviewed their training and assessment services and outcomes in a systematic way; and
- review outcomes are used to revise systems and practices where needed.
- evidence of review outcomes has considered delivery and performance data; client feedback; trainer and assessor feedback; assessment validation outcomes; and/or information from complaints and appeals.

While each RTO can decide its own process, you need to keep evidence to show monitoring has been planned and conducted in a systematic way.

Your RTO must retain evidence that its actions reflect the outcomes of reviews. If a review confirms the RTO is doing well, it may not require changes to its systems or processes. However, if a review indicates a need for change, your RTO should retain evidence that the change has been implemented and its impact monitored, or justification for why a change was not made.



If your organisation is seeking registration as an RTO, you must be able to demonstrate that monitoring and review of training and assessment for all training products included in the application is planned and structured to comply with this standard.

Case study: Compliance monitoring



Effective internal compliance monitoring makes good business sense

STU Education delivers business management qualifications at two Perth locations. Every six months, staff from each campus conduct a formal review on activities at the other campus.

The reviewers analyse:

- client feedback
- feedback from the industry engagement process
- any complaints and appeals, and
- assessment validation processes completed in the past six months.

As well as collecting information from these sources, these biannual reviews collect information through staff interviews. The reviewers provide the CEO with a written report, including recommendations for any changes. The CEO decides which recommendations will

be implemented and assigns a staff member to oversee the implementation of each change. Each change must be completed in 30 days of the decision. To ensure accountability, action plans and milestone targets are published on the RTO's Intranet along with deadlines for when changes need to be implemented.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with implementing quality assurance strategies (Clauses 2.1 - 2.2).

LINKED CLAUSES FOR 2.1 AND 2.2

1	All of Standard 1.
1.5 & 1.6	Industry engagement as a source of feedback on the RTO's services.
1.8 – 1.11	Validation of assessment resources and strategies.
2.3 & 2.4	Quality assurance of services provided through third-parties.
6	Issues identified through the RTO's complaints and appeals system.
8.1c & 8.4	Quality assurance information provided to the VET Regulator.

Monitor third parties (clauses 2.3 – 2.4)

Clause 2.3

The RTO ensures that where services are provided on its behalf by a third party the provision of those services is the subject of a written agreement.

Clause 2.4

The RTO has sufficient strategies and resources to systematically monitor any services delivered on its behalf, and uses these to ensure that the services delivered comply with these Standards at all times.

WHAT THIS STANDARD MEANS FOR YOUR RTO

If you do not use third parties to provide training and/or assessment services on your behalf, you do not need to take any action relating to these requirements.

Your RTO is responsible for all services delivered under its registration, regardless of where these are conducted or who conducts them, including in other countries. This responsibility applies to all your obligations as an RTO, including:

- the delivery of training and assessment services (all of Standard 1)
- informing learners of the third party arrangements (Clauses 4.1e & f and 5.2b(iv));
- providing data (Clause 7.5)
- cooperating with TAC (Clause 8.2)

- complying with advertising and marketing standards (Standard 4)
- informing prospective learners (Clauses 5.1 & 5.2)
- dealing with complaints and appeals (Standard 6)
- collecting fees (Clauses 5.3 & 7.3), and
- recordkeeping (Clause 3.4).

Where these services are outsourced, you must have a written agreement with the third party that delivers services under your RTO's registration, such as:

- training
- assessment
- educational and support services, and/or
- activities related to the recruitment of prospective learners.

Activities related to the recruitment of prospective learners may only be undertaken by a third party where these activities are the subject of a written agreement. If a third party is directly engaging in two-way communication with individual prospective learners about undertaking training and/or assessment at your RTO, they are undertaking activities related to the recruitment of prospective learners.

Third party services **do not** include:

- student counselling
- mediation
- ICT support
- a workplace supervisor who contributes to evidence collection or training
- contract of employment between an RTO and its employee, for example a contract trainer or assessor, or
- where students have been referred and the referring company does not receive payment from the RTO e.g. Employment Services Providers, Australian Apprenticeship Providers, Apprenticeship Centre, Department of Education.

To help each party understand their obligations, your written agreement should explain what is expected from each party in detail. For example, as your RTO is responsible for all marketing of your RTO's services, details of how marketing undertaken by the third party will be approved by your RTO should be included in the written agreement.

The written agreement must require that any third party delivering services on the RTOs behalf, cooperate with TAC in the provision of information and in the conduct of audits and other monitoring activities (Clause 8.2).

Some RTOs closely control these arrangements and require third parties to only use resources provided by the RTO or to submit completed assessment material for review by the RTO before qualifications or statements of attainment are issued. Other RTOs operate in a much more flexible way. Be aware that the more flexible these arrangements are, the greater the risk to your RTO and the more closely you should monitor these arrangements to ensure the third party has complied with your written agreement and is meeting the Standards.

The TAC Fact Sheet [Third Party Arrangements](#) and the TAC Fact sheet [Third Party Arrangements – A fact sheet for the third party](#) provides information and guidance and are available on the TAC website.

A GUIDE TO COMPLIANCE

RTOs only need to retain evidence about these clauses if they have arrangements with third parties. Your RTO must retain evidence of current written agreements for all third party arrangements. While RTOs can choose the form of these agreements, the agreements should clearly describe the obligations of each party.

RTOs must also retain evidence that they have developed and implemented strategies to systematically monitor services provided under third party agreements, to ensure that these services comply with the Standards. The evidence required to demonstrate compliance will depend on the extent of these arrangements. For example, for an RTO with multiple arrangements, or arrangements for delivery outside Australia, a scheduled monitoring program may be required to make sure the monitoring is systematic and that enough resources are available. For an RTO with a single, tightly controlled arrangement, less formality may be needed.

Evidence could include schedules of reviews conducted and reports on these reviews. Where a review has identified non-compliance, the RTO would need to retain evidence that this has been corrected and that the RTO is now compliant.

When entering into an agreement with a third party, you must notify TAC either within 30 calendar days of the agreement being entered into, or prior to the obligations of the agreement taking effect, whichever comes first (Clause 8.3a).

When ending an agreement with a third party, you must notify TAC within 30 calendar days of the agreement coming to an end (Clause 8.3b). In the event that an agreement is terminated, learners undertaking training with the third party must be fully informed of their right to a refund (Clause 5.3c) or alternative training arrangements (Clause 5.4).



If your organisation is seeking registration as an RTO and intending to enter into third party agreements, you must provide evidence:

- that written agreements have been or will be entered into with each party; and
- how third party arrangements will be monitored to ensure compliance.

Case study: Managing third party arrangements



Managing risk when using third parties.

VWX Training's scope of registration includes 27 qualifications from various training packages. It has third party provider arrangements in place with 12 other parties and generates a significant portion of its income from these arrangements.

The RTO developed a standard agreement template and obtained legal advice to ensure the agreement was binding. The template agreement clearly describes the process for recruiting and training learners and which party is responsible for each aspect of the process.

The agreement also outlines an agreed monitoring schedule. The schedule includes:

- monthly reporting by the third party, and
- six-monthly visits to the third party's site by the RTO Quality Manager.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with monitoring services provided by a third party (clauses 2.3 - 2.4).

LINKED CLAUSES FOR 2.3 & 2.4	
1	All of Standard 1, the provision of training and assessment services, training and assessment resources, trainers and assessors.
4.1 e & f	Information for learners about third party arrangements.
5.1 & 5.2 b iv	Information for learners about third party arrangements.
5.3 & 7.3	Fees for services provided by a third party.
6	Appeals and complaints relating to third party services.
8.2 & 8.3	Information for the VET Regulator about third party arrangements.

STANDARD THREE

The RTO issues, maintains and accepts AQF certification documentation in accordance with these Standards and provides access to learner records.

Context:

To maintain the integrity and national recognition of training products, AQF certification must be consistent in presentation and RTOs must accept the certification issued by other RTOs. This is the purpose of nationally agreed requirements about the nature of certification content and presentation and maintenance. Learner needs should be met through timely issuance of AQF certification documentation and access to their records.

RTOs are not obliged to issue any certification that would be entirely comprised of units or modules completed at another RTO or RTOs.

Standard Three: Secure and accurate certification

HOW STANDARD THREE BENEFITS:

Learners	<ul style="list-style-type: none"> Learners receive certification that clearly documents their skills and knowledge in a timely manner.
Industry/ employers	<ul style="list-style-type: none"> Industry and employers can access consistent documentation about the skills of their workers and have confidence that certification is genuine.
Providers	<ul style="list-style-type: none"> Providers have confidence that certification presented for credit is valid and that their reputation will not be damaged by the issue of fraudulent qualifications.

STANDARD THREE OVERVIEW

It is the responsibility of the RTO to:

- provide secure certification (Clauses 3.1 – 3.4)
- provide credit for prior studies (Clause 3.5); and
- participate in the Unique Student Identifier (USI) scheme. (Clause 3.6)

Provide secure certification (clauses 3.1 – 3.4)

Clause 3.1

The RTO issues AQF certification documentation only to a learner whom it has assessed as meeting the requirements of the training product as specified in the relevant training package or VET accredited course.

Clause 3.2

All AQF certification documentation issued by an RTO meets the requirements of Schedule 5.

Clause 3.3

AQF certification documentation is issued to a learner within 30 calendar days of the learner being assessed as meeting the requirements of the training product if the training program in which the learner is enrolled is complete, and providing all agreed fees the learner owes to the RTO have been paid.

Clause 3.4

Records of learner AQF certification documentation are maintained by the RTO in accordance with the requirements of Schedule 5 and are accessible to current and past learners.

WHAT CLAUSE 3.1 – 3.4 MEANS FOR YOUR RTO

Your RTO must have controls in place to ensure qualifications, Statements of Attainment and records of results are not issued unless the learner has completed all requirements. There is significant risk to your RTO's reputation if certification is issued inappropriately. To reduce this risk, you should have systems in place to ensure certification is only issued to learners after they have fully demonstrated competence and where evidence of this is in place. If your RTO delivers at multiple locations consider a centralised approach to issuing certification to strengthen these controls.

To ensure credibility of qualifications from the VET sector, RTOs must meet the requirements of the [AQF Qualifications Issuance Policy](#) and include any additional information specific to the VET sector, as per [Schedules Four](#) and [Five](#) of the Standards.

RTOs may include additional relevant information on AQF certificate documentation, including the name and/or logo of a third party involved in the training and assessment. However, such information must be accurate and not introduce confusion about which organisation is issuing the certification.

When issuing certification:

- issue in a timely manner (AQF certification documentation **must be issued within 30 calendar days** of the learner's final assessment being completed or their exiting their course, providing all fees have been paid), so your learners can provide proof of their competence to employers (or potential employers) and obtain any industry licences or accreditation

- issue AQF certification documentation directly to the learner, not to another party, such as an employer
- issue learners who have completed all units or modules in a qualification with a **testamur** and a **record of results**
- issue a learner who has completed one or more units/modules (but not a full qualification) and has finished their training with your RTO with a **Statement of Attainment**. A record of results may also be issued along with the Statement of Attainment in this case, and
- ensure learners can access records of certification issued to them.

To avoid possible delays in issuing certification, ensure that your RTO has processes in place to verify a learner's **Unique Student Identifier (USI)** well in advance of when certification is expected to be issued.

You are only required to issue AQF certification documentation when a learner has completed their program of training and assessment with your RTO. You are not required to issue 'interim' documentation at any time, although you may if you wish.

Your RTO **must retain records** of qualifications and statements of attainment issued for **30 years**. Where you have gathered and retained full AVETMISS data, this would suffice. You must retain sufficient data to be able to reissue a qualification or statement of attainment for the 30-year period, regardless of the storage method used. If your organisation ceases being an RTO, you will be required to provide this information to TAC in digital format.

The TAC Fact Sheet on [Record Management](#) provides further information on record retention.

Your RTO must ensure that current and past learners are able to access records of their achievements. All learners who hold a verified USI, and whose results have been reported into the USI system, will be able to access their records through the USI system. If a learner's achievements have not been recorded through the USI system, you will need to have processes in place to ensure that this learner can access their records in another way.

A GUIDE TO COMPLIANCE

RTOs must retain evidence that sufficient controls are in place to prevent certification being issued prior to all assessment being completed. Some electronic student management systems require evidence checklists to be completed before generating documentation.

RTOs may also use manual methods, such as:

- completing a checklist before a qualification is printed or signed, or
- requiring all completed assessment to be presented to the person signing or issuing the certification.

Your RTO must retain evidence that qualifications and Statements of Attainment meet all the requirements of the AQF and Schedules 4 and 5 of the Standards. You may be required to provide evidence that any additional content included on certification is accurate and does not create confusion as to the organisation issuing the certification.

The TAC Fact Sheet [TAC, NRT and AQF Logos](#) provides information on the appropriate use of NRT and TAC logos and is available on the TAC website.

As certification must be issued **within 30 days** of a learner completing their assessment, RTOs should retain evidence that this occurs and that learners receive all documents they are entitled to, including records of results where applicable.

You must also retain:

- evidence of how current and past learners can access records of certification issued to them, and
- evidence that these records are or will be retained for a period of 30 years.

Fraud Alert:

The creation of **fraudulent certificates** is a significant risk for the VET sector.

Your RTO must have mechanisms in place to reduce fraudulent reproduction of its certification. Protect your RTO's reputation by ensuring strong measures are in place to reduce the fraudulent issue of qualifications and Statements of Attainment, as people judge the quality of an RTO by the competence of people who hold its qualifications.

At a minimum, you should include your RTO's seal, corporate identifier or unique watermark. You can also take steps to reduce the chance of fraudulent qualifications by:

- not allowing third parties to create qualifications or statements of attainment on behalf of your RTO
- using documents that:
 - use a template with 'copy protected' text that makes otherwise hidden text visible when the document is copied or scanned.
 - are printed on corporate paper (e.g. letterhead with a multi-coloured background) that makes it clear when a document is not the original.
 - include an embossed seal or logo in the paper.
 - use a template that includes text or graphic design components that are 'micro-printed' and cannot be reproduced using generally available equipment.
 - have all important details (e.g. graduate's name, qualification name, date) printed over a multi-coloured 'watermark' background, such as your RTO logo, so they are more difficult to replicate or change.
 - include a bar code, QR code or serial number that links to verification information on your RTO's website, and provide a service to respond to requests for verification.
 - include information about what security measures your certification includes on your RTO's website (and reference this on the documents).
- if digital documents are issued (e.g. PDF documents), include a digital signature that will show a visible warning if the document is altered. Note that a scan of someone's signature is not a digital signature.

Printing certification on plain paper using templates from common word-processing applications makes it very easy for someone to recreate a document that looks identical to

your certification, even more so if you issue them digitally as unprotected files. If you do this, you are exposing your RTO to significant risk.



If you are applying to become an RTO, you must provide evidence of:

- how your organisation will prevent certification from being issued without all required assessment having been completed
- templates for qualifications, records of results and statements of attainment that meet all requirements
- how you will ensure certification is issued within 30 days
- how learners will access records of certification issued to them, and
- how you will retain records of qualifications and statements of attainment issued for 30 years.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with providing secure certification (Clauses 3.1 - 3.4).

LINKED CLAUSES FOR 3.1 – 3.4

1.1 & 1.4	Rules and requirements for the issuance of a qualification or skill set.
1.8	Requirements for assessment.
5.2c	The responsibility of the RTO to issue AQF certification.

Provide credit for prior studies (clause 3.5)

Clause 3.5

The RTO accepts and provides credit to learners for units of competency and/or modules (unless licensing or regulatory requirements prevent this) where these are evidenced by:

- AQF certification documentation issued by any other RTO or AQF authorised issuing organisation, or
- authenticated VET transcripts issued by the Registrar.

WHAT CLAUSE 3.5 MEANS FOR YOUR RTO

Learners must not be required to repeat any unit or module in which they have already been assessed as competent unless a regulatory requirement or licence condition (including industry licensing schemes) requires this. Where a learner provides suitable evidence, they have successfully completed a unit or module at any RTO, your RTO must provide credit for that unit or module.

Before providing credit on the basis of a qualification, Statement of Attainment or record of results, you should authenticate the information in the document (e.g. by contacting the organisation that issued the document and confirming the content is valid).

Your RTO is not obliged to issue a qualification or statement of attainment that is achieved wholly through recognition of units and/or modules completed at another RTO or RTOs.

In some cases, licensing or regulatory requirements may prevent a unit or module being awarded through a credit process.

A GUIDE TO COMPLIANCE

Evidence that learners are offered credit for study they have completed previously would demonstrate that an RTO has processes in place to meet these requirements. Examples of cases where learners have been exempted from undertaking units they have previously completed would provide evidence that the process has been implemented. The TAC Fact Sheet [Awarding Credit](#) also provides information.



Organisations applying to become RTOs need to be able to show that they have a process in place to determine credit for training delivered by other RTOs.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with providing credit for prior studies (Clause 3.5).

LINKED CLAUSES FOR 3.5

1.1	Rules for the award of qualifications or skill sets.
1.8	Assessment requirements for RPL.
5.1	Advice to learners to meet individual needs.

Participate in and meet requirements of the student identifier scheme (clause 3.6)

Clause 3.6

The RTO meets the requirements of the Student Identifier scheme, including:

- a) verifying with the Registrar, a Student Identifier provided to it by an individual before using that Student Identifier for any purpose,
- b) ensuring that it will not issue AQF certification documentation to an individual without being in receipt of a verified Student Identifier for that individual, unless an exemption applies under the *Student Identifiers Act 2014*,
- c) ensuring that where an exemption described in Clause 3.6 (b) applies, it will inform the student prior to either the completion of the enrolment or commencement of training and assessment, whichever occurs first, that the results of the training will not be accessible through the Commonwealth and will not appear on any authenticated VET transcript prepared by the Registrar, and
- d) ensuring the security of Student Identifiers and all related documentation under its control, including information stored in its student management systems.

WHAT CLAUSE 3.6 MEANS FOR YOUR RTO

The Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) is a national data standard that ensures consistent and accurate capture and reporting of VET information about learners.

The Unique Student Identifier (USI) scheme, enabled by the *Student Identifiers Act 2014*, allows learners to access a single online record of their VET achievements in the form of a USI Transcript. The scheme also allows for reliable confirmation of these achievements by employers and other RTOs. The online system provides each learner with a USI.

Unless exempt⁵, your RTO must only issue a qualification or statement of attainment to a learner after:

- the learner has provided you with a verified USI, or
- you have applied for a USI on behalf of the learner.

Most student management systems can create and verify USIs automatically. To avoid any delays in issuing certification documentation, ensure that you apply for or verify the learner's USI at the time of enrolment.

Your RTO must protect the security of all information related to USIs. Put sufficient security measures in place to protect both digital and hard-copy records from loss, damage, or

⁵ A very small number of RTOs are exempt from providing full AVETMISS data. Where an exemption applies, an RTO does not have to obtain a USI before issuing a qualification or Statement of Attainment. However, must advise learners prior to enrolment or commencement of training or assessment that their achievements will not appear on their authenticated VET transcript.

unauthorised access. This may include storing records in locked cabinets, restricting access to data stored on networks and requiring strong passwords on all network-connected computers. Create back-up copies of records and store them securely.

Records of all AQF certification documentation issued by RTOs must be kept for 30 years. Where a qualification or Statement of Attainment is recorded in the USI scheme, your RTO will not need to retain additional records to demonstrate this, as the records required will exist within the USI scheme.

The TAC Fact Sheet [RTO Reporting Requirements](#) provides further information on the reporting obligations of RTOs and is available on the TAC its website.

A GUIDE TO COMPLIANCE

For many RTOs, a proprietary student management system provides most or all of the evidence required to demonstrate compliance with this standard. An effective system manages verification of USIs and ensures a USI is stored in the system prior to any qualification or Statement of Attainment being issued. Be prepared to demonstrate that records have been stored correctly in your student management system.

You must retain evidence about the security of both digital and hard-copy records. The evidence may vary depending on the approach taken but must show that records are secure from unauthorised access, loss or damage⁶.



When applying to become an RTO, you must provide evidence of how your RTO will ensure compliance with all requirements of the USI scheme.

LINKED CLAUSES

For ease of navigation, the table identifies other clauses within the Standards for RTOs associated with participating and meeting requirement of the Student Identifier scheme (Clause 3.6).

LINKED CLAUSES FOR 3.6

3.1	The issuing of AQF Certification by the RTO.
8.1	The provision of information to the VET Regulator.
5.1	Advice to learners to meet individual needs.

⁶ Where an RTO is exempt from reporting AVETMISS data, the RTO must retain evidence of the exemption and the training products it applies to, and evidence that learners are informed their assessment results will not appear on authenticated VET transcripts or be available via the USI System.

STANDARD FOUR

Accurate and accessible information about an RTO, its services and performance is available to inform prospective and current learners and clients.

Context:

The RTO is ultimately responsible for ensuring transparent and accurate information about RTO services and performance is accessible to prospective and current learners and clients of the RTO, regardless of any arrangements to have this information distributed on behalf of the RTO.

Transparent and accurate information about RTO services and performance enables prospective and current learners and clients to make informed decisions regarding their training and/or assessment needs.

The information about RTO services and performance provided by the RTO must be relevant to and reflect the needs of the client which will vary from RTO to RTO.

Standard Four: Accessible information about services

HOW STANDARD FOUR BENEFITS:

Learners	<ul style="list-style-type: none"> Potential learners can make informed choices about which RTO suits their training needs when clear and accurate information—including information about the performance of the RTO—is available.
Industry/ employers	<ul style="list-style-type: none"> Employers seeking training for their staff benefit from clear and accurate information about RTOs and their services.
Providers	<ul style="list-style-type: none"> Providers benefit from fair competition in the market, knowing that they are operating in a level playing field.

STANDARD FOUR OVERVIEW

It is the responsibility of the RTO to:

- Provide accurate information to learners about services and qualifications (Clause 4.1).

**Provide accurate information to learners about services and qualifications
(clause 4.1)****Clause 4.1**

Information, whether disseminated directly by the RTO or on its behalf, is both accurate and factual, and:

- a) accurately represents the services it provides and the training products on its scope of registration
- b) includes its RTO Code
- c) refers to another person or organisation in its marketing material only if the consent of that person or organisation has been obtained
- d) uses the NRT Logo only in accordance with the conditions of use specified in Schedule 4
- e) makes clear where a third party is recruiting prospective learners for the RTO on its behalf
- f) distinguishes 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
- g) distinguishes between nationally recognised training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the RTO
- h) includes the code and title of any training product, as published on the National Register, referred to in that information
- i) only advertises or markets a non-current training product while it remains on the RTO's scope of registration
- j) only advertises or markets that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised
- k) includes details about any VET FEE-HELP, government funded subsidy or other financial support arrangements associated with the RTO's provision of training and assessment, and
- l) does not guarantee that:
 - i. a learner will successfully complete a training product on its scope of registration; or
 - ii. a training product can be completed in a manner which does not meet the requirements of Clause 1.1 and 1.2, or
 - iii. a learner will obtain a particular employment outcome where this is outside the control of the RTO.

WHAT THIS STANDARD MEANS FOR YOUR RTO

You must only **promote training or assessment** for training products that are **currently on your scope** of registration.

The primary audience for marketing is prospective learners, however the information may also be used by current clients, to monitor whether they are receiving the services agreed to, or by employers, to verify whether an employee's certification is genuine. RTOs must ensure that all marketing is "accessible", "accurate", and "informative".

Each RTO is unique as it has its own scope and modes of delivery, its own resources and its own target market. The information you provide should help prospective learners make an informed choice about the RTO that will best serve their learning needs. To make their decision, prospective learners will also want to know more detail about the courses the RTO offers, including details of modes of delivery, locations, duration, workplace arrangements, support services, entry requirements and prerequisites, learner's rights and obligations, fees and refund rules, and any third party involvement. The standards for this detailed information are set out in Standard 5.

Your RTO must enable informed choice for clients and learners by providing clear and factual information, whether this is done directly (including through your website) or by a third party. Your RTO is responsible for all marketing or other material disseminated on its behalf, regardless of the channel or method used.

The TAC Fact Sheet on [Marketing and Advertising](#) provides further information on the ensuring your RTO marketing information is accurate.

Your RTO must ensure it honours all commitments it makes as your RTO is subject to all relevant consumer protection law that applies in Western Australia.

Marketing material must include:

RTO code

You must include your RTO code in all marketing material. The RTO responsible for the training and/or assessment and for issuing a qualification or Statement of Attainment must be absolutely clear to anyone viewing any marketing or advertising material.

If another person or organisation is delivering training under a third party agreement with your RTO, your RTO code must be included on all marketing or other material created by that person or organisation that relates to that training and/or assessment.

If another person or organisation is recruiting learners under a third party agreement with your RTO, your RTO code must be included on all marketing or other material created by that person or organisation.

Marketing material must include:

All nationally recognised training is listed on the National Register at training.gov.au. The Nationally Recognised Training (NRT) logo is a registered trademark that confirms training is nationally recognised. To maintain the credibility of the logo, it must be used only in accordance with the conditions of use in Schedule Standards and to the TAC Fact Sheet [TAC, NRT and AQF logos](#) on their use.

It must be clear where some of the RTO's training is not nationally recognised. If your RTO delivers training that is not nationally recognised (including school and higher education programs), you must clearly separate marketing or other information about this training from marketing and information about training that is nationally recognised.

RTOs can obtain a copy of the NRT logo via the RTO Portal.

Code and full
title of the
training product

Whether you offer qualifications, skill sets, accredited courses or individual units, all marketing material must include the code and the full title of the training product (as listed on the National Register) to ensure that there is no confusion about what is being offered and to allow potential learners to verify the information.

This also means that all RTOs are describing courses in the same way, reducing confusion in the marketplace.

All nationally recognised training is listed on the [National Register](#).



The TAC logo must be used only in accordance with the TAC Fact Sheet [TAC, NRT and AQF logos](#).

In developing marketing or advertising material, consider the likely audience, particularly for online marketing or where any licensing or industry accreditation outcomes may apply.

Your RTO's marketing or advertising material must also be consistent with its training and assessment strategies and amount of training, including any variations or additions for courses delivered to overseas students. For example, you must not claim a course takes two weeks to complete if learners complete the course over a period of several months, taking into account a period of independent study.

Your RTO must not guarantee that a learner will successfully complete training and obtain a qualification or statement of attainment by studying at your RTO. You must not guarantee that a learner is able to complete a training product where this would breach Clause 1.1 or 1.2 of the Standards (including by misrepresenting the amount of training required).

If you use any reference to another person or organisation (such as testimonials or photos) in marketing or advertising material, you must gain written consent from the person or organisation before you make that reference public. This applies to, for example, displaying photos of other training or educational institutions on your website, which can lead people to believe your RTO operates those facilities.

Where learners would be accessing VET Student Loans or any other government loan or subsidy, your RTO must provide details of the arrangements. You must provide details of:

- any costs associated (including interest or similar costs), and
- any debt that will be incurred.

You must provide details of any loss of entitlement that may occur as a learner undertakes a course at your RTO. This includes information about limited entitlement schemes (where learners are only able to access one course or there are restrictions on what courses may be subsidised after a learner completes their study at your RTO).

RTOs are not required to have marketing or advertising policies and procedures, but you should:

- ensure all marketing material is checked and approved by an appropriate person before publication; and
- monitor all marketing to ensure it remains current and accurate.

Most complaints against RTOs relate to training providers making inaccurate or misleading statements in their marketing. Being vigilant about monitoring the accuracy of your marketing will increase learner satisfaction and reduce the chance of complaints being submitted to the VET regulators.

Don't forget to closely monitor marketing carried out on your behalf by other parties. Your RTO is responsible for ensuring all marketing complies with the Standards, no matter who actually creates or publishes the material.

A GUIDE TO COMPLIANCE

TAC conducts a review of your RTO's marketing when:

- preparing for an audit
- considering applications, and/or
- investigating complaints.

This review may also include conducting an internet search to discover marketing about your RTO on websites other than your own website.

As evidence of applying this Standard, RTOs need to retain copies of actual advertising and marketing material, including any material created by a third party. Retaining a copy and register of all approved material, while not mandatory, makes it easier for RTOs to monitor marketing and allows this to be presented as part of an audit or in the investigation of a complaint.

If you reference another person or organisation in your advertising or marketing material, you must retain evidence that written permission was obtained prior to any material containing the reference being published. This could be an exchange of emails, a signed release form or a letter giving permission to use the relevant material. If you regularly include information about learners in social media (including any photos where a learner can be recognised), a release clause in the enrolment form giving your RTO permission to use photos in public material may be useful, if the RTO can demonstrate that relevant learners agreed to the release. Learners must be able to 'opt out' of such a release if they wish. Regardless of how the evidence is presented, it must demonstrate that all the requirements of Clause 4.1 have been complied with in full.



If you are seeking registration as an RTO, you will need to have draft marketing material developed.

Provide any developed marketing material as evidence of what will be used. While not essential, procedures outlining how marketing material is to be developed and approved may demonstrate that an applicant has the capacity to comply with these requirements once registered.

Case study: Marketing



Monitoring the market

YZA Training delivers training in allied health from four locations in Western Australia. In addition, it has a third party agreement with BCD Health Education to deliver first aid units at workplaces in Broome, Geraldton and Karratha.

The RTO's Marketing Manager approves all new marketing and promotional materials, and any other public information about the RTO, before it can be used. A register is kept of all approvals, along with a complete copy of the material. This requirement is included in the subcontract agreement with BCD Health Education.

Regular monitoring is carried out on all currently approved material, particularly online material, to ensure it remains consistent with the RTO's scope of registration and operations. When material is no longer in use, it is marked as 'non-current' in the register after being confirmed as no longer in circulation.

The Marketing Manager conducts regular searches of the Internet for YZA Training, BCD Health Education and other relevant terms that would reveal any information about the RTO. On one occasion, a search discovered that BCD Health Education had entered information about first aid courses into a 'careers directory' online and did not identify YZA Training as the RTO. As this information had not been approved by the RTO, BCD Health Education was required to have the material removed. Shortly after, BCD Health Education submitted a request for advertising on the same site to be approved. As the request now included all required information and was accurate, the Marketing Manager approved the request, the information was entered in the directory and the item was added to the register for future checking.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with providing accurate and factual information to learners (Clause 4.1).

LINKED CLAUSES FOR 4.1	
1.1 & 1.2	Training and assessment strategies and amount of training.
1.3	Resources and services and scope of operations of the RTO.
1.4	Training Package courses or Accredited Courses offered by the RTO.
1.7	Learner support services.
1.8	General information about assessment.
2.3 & 2.4	Third party arrangements.
5.3	Fees and financial support.

STANDARD FIVE

Each learner is properly informed and protected.

Context:

In order to ensure that learners are adequately informed about the services they are to receive, their rights and obligations, and the RTO's responsibilities under these Standards, the RTO must provide learners with information prior to commencement of services including any third party arrangements affecting the delivery of training and/or assessment. This is to occur regardless of the manner in which the learner has been engaged, and whether the learner was initially engaged by the RTO itself or a third party.

The RTO is to provide or make readily available information to the learner that outlines the services the RTO will provide the learner, along with the rights and obligations of the learner and the RTO.

The RTO may provide information to the learner through one or more documents, for example an enrolment form, policy, employment contract or agreement, induction handbook or documented practice, training plan or training contract.

Standard Five: Informed and protected learners

HOW STANDARD FIVE BENEFITS:

Learners	<p>Learners can make informed choices about the RTO and the training and assessment program that best suits their needs.</p> <p>Learners know who is delivering their training and who is issuing any qualification or Statement of Attainment.</p> <p>Learners are aware of their rights and responsibilities.</p>
Industry/ employers	Employers have a clear understanding of the learning experiences and obligations of employees undertaking training.
Governments	Governments are confident that funding of training is directed to where it will assist individuals achieve their goals.
Providers	<p>RTOs have customers who have achieved their goals, guided by informed choices, leading to high satisfaction levels.</p> <p>RTOs receive fewer complaints, as learners are well informed about what to expect from their training and their rights and responsibilities.</p>

STANDARD FIVE OVERVIEW

It is the responsibility of the RTO to:

- inform and protect learners (clauses 5.1 – 5.4).

Inform and protect learners (clause 5.1 – 5.4)**Clause 5.1**

Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides advice to the prospective learner about the training product appropriate to meeting the learner's needs, considering the individual's existing skills and competencies.

Clause 5.2

Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content:

- a) the code, title and currency of the training product to which the learner is to be enrolled, as published on the National Register
- b) the training and assessment, and related educational and support services the RTO will provide to the learner including the:
 - i. estimated duration
 - ii. expected locations at which it will be provided
 - iii. expected modes of delivery
 - iv. name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on the RTO's behalf, and
 - v. any work placement arrangements.
- c) the RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.
- d) the learner's rights, including:
 - i. details of the RTO's complaints and appeals process required by Standard 6; and
 - ii. if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in.
- e) the learner's obligations:
 - i. in relation to the repayment of any debt to be incurred under the VET FEE-HELP scheme arising from the provision of services
 - ii. any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product and
 - iii. any materials and equipment that the learner must provide, and
- f) information on the implications for the learner of government training entitlements and subsidy arrangements in relation to the delivery of the services.

Clause 5.3

Where the RTO collects fees from the individual learner, either directly or through a third party, the RTO provides or directs the learner to information prior to enrolment of the commencement of training and assessment, whichever comes first, specifying:

- a) all relevant fee information including:

- i. fees that must be paid to the RTO, and
- ii. payment terms and conditions including deposits and refunds
- b) the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies
- c) the learner's right to obtain a refund for services not provided by the RTO in the event the:
 - i. arrangement is terminated early, or
 - ii. the RTO fails to provide the agreed services.

Clause 5.4

Where there are any changes to agreed services, the RTO advises the learner as soon as practicable, including in relation to any new third party arrangements or a change in ownership or changes to existing third party arrangements.

WHAT THIS STANDARD MEANS FOR YOUR RTO

Your RTO must provide accurate, current and easy to understand information that enables prospective learners to decide if your RTO and course is suitable for them, taking into account their existing skills and knowledge and any specific individual needs. Prior to enrolment or commencement of training or assessment activities (in this context, assessment also includes the collection or analysis of evidence for recognition of prior learning activities), you must provide information to learners about the following:

Full course code and title	<p>To ensure prospective learners can research the course you are offering, state the code and full title of the training product you are offering, as listed on the National Register.</p> <p>Include any relevant currency information, such as whether a qualification has been superseded or removed from a training package.</p>
Venue, length and mode/s of delivery and/or assessment	<p>Provide the prospective learner with clear information about where the training and/or assessment will be undertaken, how long it will take and the delivery mode/s involved.</p> <p>The extent of the time commitment expected of the learner and the amount of training should also be clearly stated, along with allowable variations such as fast-tracking or extensions to time to accommodate individual needs.</p>
Third party arrangements (if applicable)	<p>Where a third party is involved in the training and/or assessment, learners have a right to know who this is.</p> <p>Learners should be able to contact both your RTO and the third party at any time to discuss the training and/or assessment arrangements.</p> <p>You must confirm to prospective learners that your RTO is responsible for the quality of training and assessment provided and for the issuing of all</p>

	<p>qualifications and statements of attainment, and that any changes to the arrangements will be communicated to them.</p> <p>You must also provide information on how learners can lodge a complaint or appeal against either your RTO or the third party.</p>
Entry requirements	<p>To ensure learners fully understand their obligations, inform prospective learners of any entry requirements and/or specific requirements they need to meet to successfully complete the program.</p> <p>You must also make it clear if the learner needs to provide any materials and/or equipment.</p> <p>Make it clear whether the training includes mandatory work placements. If mandatory work placements are part of the training, learners must be provided with clear information on who will arrange this.</p>
Support services	<p>Provide information about support services available to learners and any cost associated with them.</p>
Fee information	<p>If your RTO requires individual learners to pay fees (this requirement does not apply if you contract with a company to deliver training to their employees, paid for by that company), provide fee information prior to enrolment or commencement of training/assessment (whichever is earliest), about:</p> <ul style="list-style-type: none"> • all fees payable to your RTO, clearly describing all costs involved with the course • how and when fees must be paid • how to request a refund, and • conditions under which a refund would be provided. <p>Where a learner is being enrolled under any loan or delayed payment arrangement (including VET Student Loans), the terms of the arrangement must be clearly stated, including any debt that may be incurred; when repayment is required and under what conditions; and any associated fees, indexation or interest.</p>
Funding entitlements	<p>If learners may be accessing any government funding entitlement that may reduce their ability to access such funding in the future (such as arrangements that limit funding to one qualification for a person), provide this information prior to enrolment</p>
Consumer rights	<p>Inform prospective learners about their rights as a consumer, in accordance with Western Australian laws.</p> <p>If State laws require a cooling-off period, you must provide information about this.</p>

Your RTO must also notify learners when any change occurs that may affect the services you are providing them. This includes:

- a change in ownership of the RTO, and/or
- any changes to, or new third party arrangements your RTO puts in place, for the delivery of services to those learners.

The TAC Fact Sheets on [Marketing and Advertising](#) and [Identifying and Meeting Learner Needs](#) provides further information on the ensuring your learners are informed and protected.

A GUIDE TO COMPLIANCE

RTOs must retain evidence showing these requirements have been complied with. The type of evidence will vary depending on how the information is presented to prospective learners. For example, while RTOs could provide the relevant information on their website, they would still need to demonstrate that individuals are always directed to this information prior to enrolment. Regardless of how the information is provided to prospective learners, it must be accurate and conform to the planned training and assessment described in your RTO's marketing materials and training and assessment strategies.



If your organisation is seeking registration as an RTO, you must demonstrate that you have developed information that will meet the requirements of these clauses.

Case study: Informing learners



Read before clicking

EFG Training accepts enrolments into a range of qualifications via its website.

Once a prospective learner has selected the qualification they wish to enrol in, they are presented with a link to information relevant to that particular qualification. To proceed, the person must complete a declaration that they have read and understood the information. Only then can they complete the enrolment process. The RTO's student management system records that the person completed the declaration and a copy is retained in the RTO's document management system.

Case study: Informing learners

Read before signing HIJ Training offers a 'white card' construction induction program that runs each Tuesday, Wednesday and Thursday. Most people don't enrol in advance, but turn up on the day expecting to be able to enrol and commence the program that day.

On arrival, learners are handed a fact sheet containing all relevant information on the program. This includes a declaration to the learner that—as HIJ Training holds an exemption from reporting data for this program—their assessment results will not appear on their authenticated VET transcript prepared by the USI Registrar or be available to them via the USI System. The declaration includes space for a signature acknowledging that the learner has been fully informed about the course. The learner must sign this declaration before commencing the program.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with ensuring learners are properly informed and protected (Clauses 5.1 – 5.4).

LINKED CLAUSES FOR 5.1 – 5.4

1.1 & 1.2	Information about the course requirements including the amount of training.
1.3	Resources provided by the RTO and resources provided by the learner.
1.4	Training Package or Accredited Course details.
1.5	Links to industry.
1.7	Learner support services.
1.8	Assessment strategies and responsibilities.
1.12	Access to RPL.
2.3 & 2.4	Third party providers.
3.1 & 3.3	Qualifications to be issued and conditions.
3.5	Access to records.
3.6	Access to credit transfer.
4.1	Consistent information with marketing.
6	The right to appeals and complaints.
8.4 & 8.5	Regulatory requirements.

STANDARD SIX

Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

Context:

RTOs must implement a transparent complaints and appeals policy that enables learners and clients to be informed of and to understand their rights and the RTO's responsibilities under the Standards.

Enterprise RTOs and volunteer associations that do not charge fees for the training and/or assessment and only provide training to employees or members are not required to maintain a separate complaints and appeals policy in relation to their training and assessment. These organisations must ensure, however, that their organisation's complaints policy is sufficiently broad to cover the activities as an RTO.

Standard Six: Fair complaints handling

HOW STANDARD SIX BENEFITS:

Community	Members of the public who are affected by the actions of an RTO can have their concerns addressed promptly.
Learners	Learners have any concerns about their training or assessment addressed promptly and equitably.
Providers	RTOs that manage complaints and appeals will benefit from increased satisfaction of learners and continuous improvement.

STANDARD SIX OVERVIEW

It is the responsibility of the RTO to:

- manage complaints and appeals fairly (clauses 6.1 – 6.6).

Manage complaints and appeals (clause 6.1 – 6.6)

Clause 6.1

The RTO has 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; or
- c) a learner of the RTO.

Clause 6.2

The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

Clause 6.3

The RTO's complaints policy and appeals policy:

- a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- b) are publicly available
- c) set out the procedure for making a complaint or requesting an appeal
- d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable, and
- e) provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

Clause 6.4

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and
- b) regularly updates the complainant or appellant on the progress of the matter.

Clause 6.5

The RTO:

- a) securely maintains records of all complaints and appeals and their outcomes; and
- b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

Clause 6.6

Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

WHAT THIS STANDARD MEANS FOR YOUR RTO

Your RTO must have a policy for **dealing with complaints** about your organisation, third parties, staff or other learners. You must also have an **appeals policy**, in case your RTO is requested to review or reconsider a decision it has made (e.g. an assessment decision or a decision about support services).

You must make these policies publicly available, for example, by including them on your RTO's website and/or displaying them in common areas for staff and learners.

The best remedy for complaints and appeals is pre-emptive prevention, which relies on clearly defined standards and expectations ([Standards 4 and 5](#)). To prevent issues that may generate a complaint, the RTO benefits from the publication of a clear and comprehensive **code of conduct** for all parties (RTO staff and learners) that is followed and applied.

Make the process for lodging a complaint or appeal clear and explain what will happen as a result and ensure people are not disadvantaged. Specifically, do not:

- require them to complete overly complex forms, which can be a barrier to learners expressing their concerns; or
- require learners to provide extensive written information as part of the initial complaints process.

Allowing learners to easily engage with the staff of your RTO about any concerns they have, can stop minor issues becoming larger. Potential complainants should be encouraged to seek resolution before the issue escalates. In many cases the problem can be quickly resolved to the satisfaction of both parties before the formal complaints and appeals process needs to be undertaken.

Your RTO's process must follow the **principles of natural justice** and **procedural fairness** by ensuring that all parties to the complaint or appeal must have full access to the relevant evidence and must have the right to a personal hearing and allowing anyone subject to a decision by your RTO, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

Ensure that the decision maker is independent of the decision being reviewed (e.g. an assessor should not consider or decide an appeal against an assessment decision they made).

If the person making the complaint or appeal is not happy with the outcome, make arrangements for an independent third party to review the complaint or appeal. Disclose any costs associated with a third party review in your policy, so all parties are aware of any costs they may need to pay.

Deal with complaints and appeals promptly. Identify the timeframes that will apply to the resolution of complaints and appeals, so that complainants know how long it should take to get a response from your RTO at all stages of the process. If a complaint or appeal (including

any review process) will take more than 60 days to finalise, write to the people involved explaining the delay.

Record all complaints and appeals received, and document outcomes. Use this information to review your RTO's processes and practices to ensure the issue doesn't happen again.

For further information and advice, the TAC Fact Sheet [RTO Complaints and Appeals](#) considers complaints and appeal handling and is available on the TAC website.

In the great majority of cases, most complaints will be resolved through the provider's complaints process. However, if the issue has not been resolved, complainants may be able to submit a complaint to TAC. TAC is only able to investigate complaints about training providers that relate to compliance with the [Standards](#). Further information regarding TAC's complaint process is available on the [TAC website](#).

A GUIDE TO COMPLIANCE

RTOs must retain evidence that they have a **publicly available policy** or policies to deal with complaints and appeals. If the RTO uses third parties to deliver services, the policy or policies must be made available to prospective learners of the third parties.

Where complaints or appeals have been received, RTOs must **keep evidence** of how the matter was dealt with and the outcome (including the timeframes). The RTO will need to show that it has identified the cause of the complaint or appeal and what steps it has taken to prevent the situation happening again.



If your organisation is seeking registration as an RTO, you must provide documented policies for dealing with complaints and appeals (or a combined policy) and demonstrate how these will be published. The policies must address all the requirements of Standard Six.

Case study: Complaints



Using complaint outcomes for business improvement

HIJ Training publishes a combined complaints and appeals policy on its website. On enrolment, all learners are directed to the policy and must confirm that they understand their rights in this area. While complaints can be submitted online, the policy sets out that people are able to speak with a staff member about their concerns and the staff member will complete the form on their behalf if required.

Any complaints are directed immediately to the RTO's Training Manager, who either investigates them or refers them to the General Manager if there is any conflict of interest (e.g. if the complaint is about the conduct of the Training Manager). The RTO conducts

separate interviews with both the person making the complaint and the person the complaint is about.

In the case of appeals against assessment decisions, the Training Manager initially reviews the decision and the evidence used to make the decision. The assessor and the learner are interviewed separately to find out whether there is any relevant information not contained in the learner's file.

Regardless of the outcome, all parties are to be notified of the outcome within 30 days. A mediator can be provided by the Australian Mediation Association. HIJ Training agrees to pay the cost of one mediation session of up to two hours and advises that, should the matter require further mediation, it will be at the cost of the complainant. Once complaints and appeals are finalised, they are presented to the management team at their monthly meeting, where they are reviewed to see if there is a need to change any procedures or practices.

All complaints and appeals are recorded on a register that includes relevant details to allow analysis of matters over time and identify any common factors that may need action.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with management of complaints and appeals (Clauses 6.1 – 6.6).

LINKED CLAUSES FOR 6.1 – 6.6

1.8	Learner are advised of their right to appeal assessments (Fairness).
2.1 & 2.2	Outcomes of appeals and complaints inform quality assurance processes.
2.3 & 2.4	Appeals and complaints may involve third party providers.
4.1, 5.1 & 5.2	Learners must be advised of their right to complaints and appeals processes.

STANDARD SEVEN

Standard 7. The RTO has effective governance and administration arrangements in place.

Context:

Business viability is critical to the ongoing sustainability of an RTO and the investment it makes in its services. If RTOs are not viable, then this negatively impacts on the quality of its training and assessment outcomes and on learners.

Operational and financial business standards therefore provide important protective measures for the learner and RTOs, as well as acting as a disincentive for underprepared organisations to enter the market.

The factors determining the viability of an RTO are dependent upon the business objectives and operating characteristics of the RTO. For example, the factors determining the business viability of an enterprise RTO embedded within a major Australian business may be different to those impacting upon a private provider or a publicly-owned TAFE Institute.

Standard Seven: Effective governance and administration

HOW STANDARD SEVEN BENEFITS:

Learners	<p>Learners know their provider is stable and well-governed, so are confident it will continue to operate and be properly resourced to deliver training.</p> <p>Learners know that their exposure to financial loss is limited in the case of a provider closing or not being able to provide the training.</p>
Industry/ employers	Employers of learners are confident that providers can adequately resource the training and assessment of their staff and that providers will continue to operate through the life of training contracts.
Governments	Governments are confident of investing in training provided by RTOs knowing they are viable and properly governed.

STANDARD SEVEN OVERVIEW

It is the responsibility of the RTO to:

- Ensure authorised executive officers, high managerial agents and any persons who exercise a degree of control or influence are in place (Clause 7.1)
- assess financial viability risk (Clause 7.2)
- protect prepaid fees by learners (Clause 7.3)
- hold public liability insurance (Clause 7.4), and
- provide accurate information about performance and governance (Clause 7.5)

Ensure authorised executive officers are in place (clause 7.1) and assess financial viability risk (clause 7.2)

Clause 7.1

The RTO ensures that its executive officers, high managerial agents and any persons who exercise a degree of control or influence over the management or direction of the RTO:

- a) are vested with sufficient authority to ensure the RTO complies with the RTO Standards at all times; and
- b) are assessed by the RTO as being fit and proper persons, having regard to the Fit and Proper Person Requirements, prior to being appointed to the relevant positions; and
- c) remain, in the opinion of the RTO, throughout their time occupying relevant positions, fit and proper persons, having regard to the Fit and Proper Person Requirements.

Clause 7.2

The RTO satisfies the Financial Viability Risk Assessment Requirements.

WHAT CLAUSES 7.1 AND 7.2 MEAN FOR YOUR RTO

To operate effectively, managers must have authority to ensure their RTO complies with the Standards at all times. If your RTO is part of a larger organisation, it is particularly important that the people managing the RTO are able to make decisions that ensure compliance, and that financial risk is monitored and managed.

Further information and advice, the TAC Fact Sheet on [Governance](#) available on the TAC website and provides more detailed information on the management of risk in RTO operations.

Fit and Proper Person Requirements (FPPR)

You are required to show that there are persons with sufficient authority to ensure the RTO complies with the Standards at all times, and that these persons meet the [Fit and Proper Person Requirements](#) outlined in [Schedule 3](#).

Authority would normally be illustrated by an organisational chart and accompanying job or role descriptions and reporting accountabilities to show that the RTO is under effective management.

Anyone who manages an RTO including Executive Officers, High Managerial Agents, Legally Responsible Officers, Owners, or Persons of Control and Influence must satisfy Fit and Proper Person Requirements (FPPR) as outlined in Schedule 3 of the Standards and the *Vocational Education and Training (General) Regulations 2009* by submitting a [Fit and Proper Declaration](#) when:

- you apply for initial registration or to renew registration as an RTO; or

- you employ a new executive officers, high managerial agents, owners and any persons who exercise a degree of control or influence over the management or direction of the RTO

You also need to advise TAC if anything changes that means one or more people may need to submit a new declaration to TAC.

Further definitions of those who must meet the Fit and Proper Person Requirements is available in Schedule 3 of the Standards and in the TAC [Fit and Proper Declaration](#).

Financial Risk

While RTOs applying for renewal of registration are not required to submit evidence to demonstrate financial viability, TAC may require an RTO to submit evidence to demonstrate financial viability at any other time.



Applicants for initial registration who are not Enterprise Organisations are required to undergo a financial viability risk review conducted by TAC to evaluate the likelihood of business continuity, and the RTO's capacity to achieve quality outcomes.

These requirements are outlined in the [Financial Viability Assessment Financial Viability Assessment Guidelines for the Registration of Training Providers 2017](#) issued by the Minister for Education and Training under Section 13 of the *Vocational Education and Training Act 1996*

A GUIDE TO COMPLIANCE

Evidence to demonstrate compliance with Clause 7.1 varies depending on the structure of the organisation:

- For a sole trader, it is obvious that the relevant authority is in place and only the *Fit and Proper Declaration* will be required.
- For a larger RTO with multiple managers, providing organisational charts, position descriptions, duty statements and delegation documents are some of the ways to demonstrate that managers have sufficient authority. *Fit and Proper Declarations* will be required for anyone who manages an RTO including Executive Officers, High Managerial Agents, Legally Responsible Officers, Owners, or Persons of Control and Influence.

While there is no requirement for policies or procedures to demonstrate compliance, RTO induction processes should include information for any new Executive Officers, High Managerial Agents, Legally Responsible Officers, Owners, or Persons of Control and Influence, including the completion of the Declaration.

Evidence is usually provided with applications for initial or renewal of registration or notifications of new managers rather than during an audit or other regulatory activity. TAC's registration and notification processes guide RTOs about any evidence required at that point.

These processes can be accessed on [TAC's website](#). TAC may request evidence if your RTO is considered to present an unacceptable level of risk.



When applying to become an RTO, you must provide relevant evidence with your application.

The application process provides guidance to applicants about the specific evidence required to demonstrate that all executive officers and high managerial agents meet the *Fit and Proper Person Requirements*, and that the RTO meets the *Financial Viability Risk Assessment Requirements*.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with effective governance and administration arrangements (Clauses 7.1 – 7.2).

LINKED CLAUSES FOR 7.1 & 7.2

All Standards	The executive officers or high managerial agents must ensure compliance with the Standards, and provides a report to this effect annually (Clause 8.4)
---------------	--

Protect prepaid learner fees (clause 7.3)

Clause 7.3

Where the RTO requires, either directly or through a third party, a prospective or current learner to prepay fees in excess of a total of \$1500 (being the threshold prepaid fee amount), the RTO must meet the requirements set out in the Requirements for Fee Protection in Schedule 6.

WHAT CLAUSE 7.3 MEANS FOR YOUR RTO

This clause is included in the Standards to provide protection to fee-paying learners, where these fees are more than \$1500. Where this occurs the RTO is required to provide fee protection as per [Schedule 6](#) in the Standards.

'Prepaid fees' (sometimes referred to as 'fees collected in advance') means fees collected before the relevant services have been provided. These include payments made at any time before, during or after the learner enrolls. Your RTO may collect up to \$1500 in prepaid fees from a learner without needing to take any action to protect these fees, as explained in [Schedule 6](#).

The requirements that apply to prepaid fees include all fees that a learner is required to pay, including enrolment fees, tuition fees, materials fees and any other fee component that is a mandatory payment for the course.

RTOs are only required to protect prepaid fees for individual learners and prospective learners. These requirements do not apply, for example, where an employer engages an RTO to provide training and/or assessment to its staff.

Government entities

If your Government RTO collects more than the maximum \$1500 per learner in prepaid fees, you must have and implement a policy that details how, if your RTO is unable to provide the services which have been paid for, learners will be:

- placed into an equivalent course without having to pay any additional fees for the portion of the course they have paid in advance, or
- paid a refund of any prepaid fees for services yet to be delivered above the threshold prepaid fee amount.

All other RTOs

Where your RTO collects more than \$1500 per learner in prepaid fees, you must take action to protect the prepaid fees that exceed \$1500 for any learner. In these instances, you must have at least one protection measure in place for each learner; however, this does not have to be the same measure for all learners ([Schedule 6](#)).

If you never hold more than \$1500 in prepaid fees from any learner, you do not have to take further action to protect the fees of learners.

Consider how best to structure your fee payment schedule:

- If you offer a 10-week course that costs \$2000, the course costs \$200 per week. Therefore, you could collect \$1500 at the time of enrolment and the remaining \$500 after week seven without needing to have any protection measures in place.
- If you wanted to collect the total course cost at the time of enrolment, you would have to have one or more of the measures in Schedule 6 in place.
- There are many other options you could choose, such as collecting weekly fees, or collecting a deposit of up to \$1500 at the time of enrolment and then a weekly amount equal to the calculated weekly cost of the course.

If your RTO is required to have fee protection measures in place, it can:

- hold an unconditional bank guarantee to cover at least the amount of prepaid fees in excess of \$1500 for any learner
 - If choosing this option, your RTO must ensure the guarantee is structured so that you can refund learners' fees that have been prepaid more than \$1500 in circumstances where the RTO is no longer able to deliver the training and assessment.
- hold membership of a Tuition Assurance Scheme approved by TAC that applies to all relevant students, and/or
- put in place another measure approved in writing by TAC. Note that TAC will not accept an application for alternative fee protection measures from an organisation seeking initial registration as an RTO.

The requirements for protection of prepaid fees apply no matter how the fees are collected. Any fees collected by a third party to your RTO (including by an education agent or broker)

are subject to the same conditions and your RTO is responsible for ensuring that protection measures are in place and implemented as required. These requirements apply to fees prepaid by learners, regardless of when your RTO receives the payment.

If you are using a commercial 'shopping cart' system to collect online payments, ensure that the system does not allow learners to prepay more than the maximum amount allowed by the arrangements you have in place. This may be as simple as specifying all course fees in the shopping cart and allowing only single purchases.

As required by Standard 5, you must notify learners of the fees they must pay and when they are due **prior** to enrolment or commencement of training/assessment (whichever is earliest). Information must include:

- all fees payable to your RTO, clearly describing all costs involved with the course
- how and when fees must be paid
- how to request a refund, and
- conditions under which a refund would be provided.

Where a learner is being enrolled under any loan or delayed payment arrangement (including VET Student Loans), the terms of the arrangement must be clearly stated, including any debt that may be incurred; when repayment is required and under what conditions; and any associated fees, indexation or interest.

A GUIDE TO COMPLIANCE

Where an RTO is collecting less than \$1500 in prepaid fees, this could be demonstrated through marketing and enrolment material that includes fee schedules that, collectively, show the RTO does not require more than \$1500 to be prepaid for any course. In this case, no further evidence would be required.

Where an RTO is collecting more than \$1500 in prepaid fees from any learner, retain evidence to show how any fees above the threshold prepaid fee amount are protected. Evidence might be in the form of:

- confirmation of current membership in one or more approved Tuition Assurance Schemes (TAS) that includes all of the relevant courses and delivery locations; or
- evidence that the RTO holds a current bank guarantee for a suitable amount (calculated based on the total amount of prepaid fees more than \$1500 per learner the RTO would hold at any time).

It may be that your RTO uses a combination of measures for different courses or different learners. In this case, you must retain evidence of how all learners' fees are protected. If TAC has approved an alternative fee protection measure, retain evidence of current approval of that measure and your compliance with the measure.

Regardless of the method/s your RTO uses for protection of learner prepaid fees, as required by Standard Five, you must retain evidence of how learners have been advised of:

- all payment terms, and
- the circumstances under which refunds may be issued

Information provided to potential learners, learners or clients must be consistent with the RTO's arrangements.

Government entities

RTOs in this category can demonstrate compliance by providing their fee protection policy and demonstrating how this is accessible to learners. If the RTO needs to enact the policy, it could show the process that was followed.



If your organisation is seeking registration as an RTO, you must confirm whether you plan to collect more than \$1500 in prepaid fees from learners at any time. If you intend to do this, you must demonstrate how one or more fee protection measure/s will be implemented for all relevant learners.

Note that TAC will not accept an application for alternative fee protection measures from an organisation seeking initial registration as an RTO.

Case study: Student fees



Fee protection made simple

KLM Training offers qualifications in the security industry from its head office in Perth and a range of individual units and skill sets from its Perth office and several sites across WA.

Payment of fees is required prior to commencement of the training. For example:

- The *Certificate II in Security Operations* offered by the RTO is priced at \$975, so does not require any fee protection measure for learners in this course.
- The *Certificate III in Security Operations* is priced at \$1675 and is run over five weeks. Learners are required to pay a deposit on enrolment of \$75. They are then invoiced for \$800 due to be paid on the first day of training and a further \$800 due at the start of the third week of training.

KLM Training does not collect more than \$1500 in advance for any learner, so does not have to implement any fee protection measures.

Case study: Student fees



Consistency brings simplicity

NOP Training operates from a head office in Perth, and has branches in Bunbury, Esperance and Albany. The RTO has third party arrangements with organisations in Karratha, Kalgoorlie and Southern Cross. Over 100 different qualifications are offered, mostly in the business, IT, health and community service areas.

Regardless of the cost of the course, NOP Training has implemented a consistent fee model across all courses. All courses require payment of a non-refundable fee on enrolment (\$100). The balance of the fees are divided into two equal payments, one due on the first day of training and the other due either at the start of week six or at the start of the last week of training for courses shorter than six weeks. These same arrangements apply across all four of the RTO's branches, and all courses offered by third parties. While NOP Training could collect the entire fees up-front from some individual learners, implementing a consistent payment framework avoids confusion, provides a consistent cash flow and ensures compliance with the Standards.

Where NOP Training is contracted to provide training to staff groups from various companies, full fees are payable prior to training, as they are paid for by the employer rather than the learner.

Case study: Student fees



Guarantee brings flexibility

QRS Training offers three qualifications from the Sport, Fitness and Recreation Training Package. The duration of the courses ranges from six weeks to 18 months, and fees range from \$4900 up to \$12,000. All fees must be paid prior to the commencement of training for all courses. The courses all operate on a 'rolling intake' model, with new students starting each Monday.

QRS Training calculated that, as it had 200 students undergoing training at any time, all at different stages, it was holding approximately \$400,000 in advance at any time. To safeguard prepaid fees by learners, QRS Training arranged a bank guarantee for \$400,000 to cover all fees paid in advance.

Should QRS Training not be able to meet its financial obligations, conditions allow the guarantee to be called upon by the RTO's solicitor. Having a bank guarantee in place means that QRS Training do not need to restrict the amount of fees learners are required to pay at any time.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with protecting prepaid learner fees (Clause 7.3).

LINKED CLAUSES FOR 7.3

4.1	Fee information provided through marketing.
5.3	Information relating to fees and refunds.

Hold public liability insurance (Clause 7.4)

Clause 7.4

The RTO holds public liability insurance that covers the scope of its operations throughout its registration period.

WHAT THIS STANDARD MEANS FOR YOUR RTO

Your RTO must hold public liability insurance to cover all training and/or assessment activities it provides as an RTO.

A GUIDE TO COMPLIANCE

RTOs can retain evidence that they hold public liability insurance by keeping a copy of a certificate of currency or similar. Quotes and invoices are not sufficient evidence to prove that insurance is actually in place.

The evidence provided must:

- identify that the RTO is covered by the policy; and
- either confirm that training and assessment activities are covered, or that there are no restrictions on the activities covered.



If your organisation is seeking initial registration as an RTO, you are required to confirm that you will obtain suitable public liability insurance as soon as registration is granted. This may be in the form of a quote from an insurance company. This will be checked at or before the post-initial audit within 24 months after your RTO commences operations.

Provide accurate information about performance and governance (Clause 7.5)**Clause 7.5**

The RTO provides accurate and current information as required by the *Data Provision Requirements* as updated from time to time.

WHAT THIS STANDARD MEANS FOR YOUR RTO

The Data Provision Requirements outline information that your RTO is required to submit. Apart from information required with applications, this falls generally into two categories:

- Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) data; and
- Quality Indicator data.

Note that these requirements are also addressed under Clause 8.1 of the Standards.

The TAC Fact Sheet [RTO Reporting Requirements](#) outlines both reporting requirements and reporting dates and is available on the TAC website.

Total VET
Activity
(AVETMISS &
USI)

Total VET Activity (TVA) is a **mandatory** national reporting requirement for RTOs. TVA refers to the collection and reporting of data that complies with the Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS). AVETMISS is a national data standard that ensures consistent and accurate capture and reporting VET information about students, providers, courses and training outcomes.

The Unique Student Identifier (USI) forms part of an RTO's AVETMISS data and must be included in its TVA submission.

The National Centre for Vocational Education Research (NCVER) is the custodian of the Standard, which forms the basis for collecting data for the National VET Provider Collection.

Information on AVETMISS is available from [NCVER's website](#). Your RTO must obtain and report full AVETMISS data for all learners unless it is exempt under the *National VET Data Policy*.

Most commercial student management systems can record and report AVETMISS data without additional entry. Some systems also manage online enrolment by learners. While this significantly reduces data entry by your RTO, data should be checked to make sure it is correct.

If you do not have a student management system, a free online AVETMISS data entry tool is available from [NCVER's website](#).

Quality indicator data	<p>Quality surveys</p> <p>The Learner Engagement and Employer Satisfaction survey data forms part of the Quality Indicators. The RTO administers surveys (either electronically or in hard copy) to students and employers then collects and reports on the data.</p>
------------------------	--

A GUIDE TO COMPLIANCE

RTOs must retain evidence that they have submitted or will be able to submit (if the RTO has been registered less than a year) full AVETMISS data for all learners as required in the National VET Data Policy unless they are exempt.

RTOs must retain evidence they have collected and/or submitted Quality Indicator data—or, if they have been registered for less than a year, that they will be able to submit Quality Indicator data—using the required learner engagement and employer satisfaction questionnaires.



When you apply to become an RTO, you will need to demonstrate that your organisation has the means to collect and submit complete AVETMISS data.

This may be in the form of an installed student management system with this capacity. Be prepared to demonstrate that the system has been installed, configured and is available to relevant staff.

You will also need to provide evidence of how your organisation will collect and report learner engagement and employer satisfaction quality indicator surveys.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with providing accurate and current information (Clause 7.5).

LINKED CLAUSES FOR 7.5

8.1	Information provided to the VET Regulator
4.1, 5.1 & 5.2	Learners must be advised of their right to complaints and appeals processes.

STANDARD EIGHT

The RTO cooperates with the VET Regulator and is legally compliant at all times.

Context:

RTOs need to comply with the requirements of the RTO Standards as well as other relevant Commonwealth, State and Territory legislation. This is critical if RTOs are to deliver training products that have integrity and which fulfil their obligations to their clients.

It is important that third party arrangements are documented and transparent to facilitate the Regulator's knowledge that such arrangements exist. This will enable the Regulator to factor this into the RTO's risk considerations when enforcing compliance with the Standards and to review, in the context of RTO audits, the terms of the third party arrangements and the effectiveness of the arrangements in facilitating compliance with these Standards.

Standard Eight: Legal compliance

HOW STANDARD EIGHT BENEFITS:

Learners	<p>Learners are assured each provider is monitored by a regulator that has accurate, up-to-date information about the provider.</p> <p>Learners are confident their provider complies with relevant legislation and regulatory requirements.</p> <p>Learners are aware of requirements that relate to their training.</p> <p>Learners can make informed choices about providers using accurate and up-to-date information.</p>
Industry/ employers	Employers and other industry stakeholders are assured providers are monitored by a regulator that has accurate, up-to-date information about the provider.
Governments	Governments are assured providers are monitored by a regulator that has accurate, up-to-date information about the provider.

STANDARD EIGHT OVERVIEW

It is the responsibility of the RTO to:

- provide requested information to TAC (Clause 8.1 and 8.2);
- notify TAC regarding third party agreements (Clause 8.3);
- make an annual declaration on compliance with the Standards (Clause 8.4); and
- comply with all relevant legislative and regulatory requirements (Clause 8.5 and 8.6).

Provide requested information to TAC (clause 8.1 and 8.2)

Clause 8.1

The RTO cooperates with the VET Regulator:

- a) by providing accurate and truthful responses to information requests from the VET Regulator relevant to the RTO's registration
- b) in the conduct of audits and the monitoring of its operations
- c) by providing quality/performance indicator data
- d) by providing information about substantial changes to its operations or any event that would significantly affect the RTO's ability to comply with these standards within 90 calendar days of the change occurring
- e) by providing information about significant changes to its ownership within 90 calendar days of the change occurring, and
- f) in the retention, archiving, retrieval, and transfer of records.

Clause 8.2

The RTO ensures that any third party delivering services on its behalf is required under written agreement to cooperate with the VET Regulator:

- a) by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services; and
- b) in the conduct of audits and the monitoring of its operations.

WHAT CLAUSES 8.1 AND 8.2 MEAN FOR YOUR RTO

Information Requests and quality/performance indicator data

Your RTO must collect and report on a range of data about your business and operations (as detailed in clause 7.5) including:

- Total VET Activity data; and
- Quality Indicator data.

If requested, you must provide TAC with the following types of information about your RTO:

- business registration records e.g. Australian Securities and Investments Commission (ASIC) reports
- information demonstrating that the organisation satisfies the *Financial Viability Risk Assessment Requirements*
- information demonstrating relevant people associated with the organisation satisfy the *Fit and Proper Person Requirements*
- information on strategies, resources and other materials used to conduct training and assessment
- documents demonstrating trainer and assessor credentials
- information about delivery operations such as modes, venues, funding, student types and activity conducted
- evidence about record management systems
- public liability insurance coverage
- the names of current or past students, who may be surveyed about satisfaction levels, and
- any other information required to demonstrate compliance with the TAC regulatory framework.

Participating in Audits

TAC is responsible for ensuring RTOs comply with the Standards.

RTOs are required to cooperate with TAC when an audit is required of their organisation and its operations. An audit is a planned, systematic and documented process used to assess an RTO or applicant's compliance with the Standards. It provides an RTO with valuable information about the quality of its training, assessment, client services and the management systems it uses to meet its regulatory obligations and achieve quality outcomes.

The primary objective of an audit is to establish that the RTO or applicant is, at a minimum, meeting the Standards and the requirements for the applicable training products. TAC engages an external panel of auditors to undertake audit services on its behalf. These auditors will need to see tangible evidence that demonstrates how the RTO meets compliance with each Standard and clause.

The purpose and scope of a TAC audit will depend on the type of audit, e.g., initial registration, amendment to scope or renewal of registration. The audit will focus on a range of business practices and business systems within the audit scope and will most likely involve:

- visual inspection/site visits
- review of documentation
- interviews with students, staff and other stakeholders, and
- tracking the student's journey and records from pre-enrolment to post completion.

Further information on the [TAC audit process](#) is available on the TAC website.

The intent of an audit is not to simply 'tick off' a compliance-driven system. Establishment of systems and processes that appear to meet all the requirements of the Standards but prove unrealistic when it comes to implementation and ongoing management, may contribute to non-compliance.

Similarly, an RTO that engages a consultant to develop all its business systems may also be found non-compliant at audit if the management fails to take ownership of that system and cannot articulate how it reflects intended practice and operates on a day to day basis to meet the requirements of the Standards.

Providing up-to-date information to TAC

Your RTO must cooperate with TAC in responding to requests for information, undergoing audits and managing records. You must **notify TAC within 90 days** of changes to the following:

- RTO managers such as owners, executive officers, legally responsible officers or high managerial agents;
- Significant changes to business operations such as:
 - financial administration status e.g. liquidators being appointed
 - changes to name or structure; legal name type of legal entity
 - ownership, directorship or control
 - sale or transfer

- merges with another RTO or business
- splits into two legal entities
- voluntary cessation of the business
- substantial changes to RTO control, management or operations
- anything that may affect the fit and proper person status of an influential representative of the RTO, or
- any other significant event.

RTOs are required to notify TAC of [changes](#), with evidence to support each case.

Make sure you notify TAC immediately if the contact details for your RTO change. The contact details published on the National Register are what TAC will use to contact your RTO.

TAC is not able to provide any information about your RTO's registration to anyone other than the published contacts.

Retention, archiving, retrieval, and transfer of records

RTOs are required to retain certain documents for audit purposes. It is recommended that these documents are retained for a period of **at least five years**. These documents may include the following:

- attendance rolls that show the names of students, the unit/s of competency identifier and/or name, date/s of attendance and signatures or initials of trainer or lecturer
- records of assessment and/or training record books that show the date of assessment/s, unit/s of competency, student name and outcome of assessment(s)
- training delivery and assessment policies and strategies for all qualifications/courses
- assessment tools and instruments
- recognition of prior learning assessment records
- all policies and procedures relevant to the [Standards](#)
- all financial (including income and expenditure), enrolment and assessment records relating to any delivery and performance agreement held with the Department of Training and Workforce Development; and
- complaints.

The TAC Fact Sheet [Records Management](#) provides further detail on these issues and is available via the TAC website.

There is no requirement to retain originals or copies of student work for audit purposes. However, it is recommended that **some examples of student work** are retained for **validation** purposes. Sufficient evidence to support assessment decisions can be provided through the assessment tools and instruments. The completed marking guide, criteria, training record book, workplace evidence and/or observation checklist is considered to be an assessment tool/instrument and **retained as a record for audit processes**. It is important to note that as the completed student assessments will form the basis of evidence to support the assessment decision it should be sufficiently detailed to show the standard required by the RTO.

Sufficient evidence of assessments may include the marking guide, criteria, training record book, workplace evidence and/or observation checklist for each student. If it is possible, **copies of students' completed assessments** or other evidence such as photos of the assessment products should be kept to support the assessment decision.

As a minimum, these documents may include the student's name, the unit/s of competency being assessed, sufficient evidence to justify the judgment made, a summary of feedback given to the student, the name and signature of the assessor and the date of the assessment. Note that other record keeping obligations may exist for your RTO such as records related to government funding or for licensing purposes.

RTOs are responsible for establishing the period covered by an assessment appeals process. It is recommended that sufficient detailed evidence of how assessment judgements were made should be kept for the length of the allowable appeals period in case an appeal against the decision is lodged.

Should your organisation stop operating as an RTO, you will need to submit accurate and complete AVETMISS compliant data to NCVER and transfer sufficient digital records to TAC to confirm each learner's outcome. Information about withdrawing your registration is available from TAC's website on [Ceasing Registration](#).

Third party requirements

If your RTO uses third parties to provide services, you must ensure they cooperate with TAC when undertaking audits and in retaining and providing records or other information. Your RTO is responsible for ensuring all third parties meet these requirements.

A GUIDE TO COMPLIANCE

Although it would be useful, RTOs are not required to have policies or procedures in this area. In general, compliance with these clauses would be demonstrated by the RTO cooperating with TAC in the normal course of business by providing relevant information on request.



If your organisation is seeking registration as an RTO, you are not required to provide specific evidence in this area.

However, in submitting an application to become an RTO, your organisation is committing to comply with these requirements and should be able to foreshadow strategies to do so.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with the RTO cooperating with the TAC (Clause 8.1).

LINKED CLAUSES FOR 8.1

7.5	The provision of current and accurate information
-----	---

Notify TAC regarding third party agreements (Clause 8.3)

Clause 8.3

The RTO notifies the Regulator:

- of any written agreement entered into under Clause 2.3 for the delivery of services on its behalf within 30 calendar days of that agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first; and
- within 30 calendar days of the agreement coming to an end.

WHAT THIS STANDARD MEANS FOR YOUR RTO

Your RTO **must notify** TAC whenever it starts or ends a third party agreement. It is important to remember that this notification must occur **within 30 calendar days** of the agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first.

Remember that this requirement covers agreements for a third party to provide any of the following:

- training
- assessment
- educational and support services (this does not include student counselling, mediation or ICT support); and/or
- activities related to the recruitment of prospective learners.

A GUIDE TO COMPLIANCE

Although it would be useful, RTOs are not required to have policies or procedures in this area. In general, compliance with these clauses would be demonstrated by the RTO cooperating with TAC in the normal course of business by providing relevant information.



If your organisation is seeking registration as an RTO, you are not generally required to provide specific evidence in this area.

However, if you are intending to use third party arrangements, you may be required to provide evidence that written agreements are in place.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with RTO's oversight of third party partners and including their cooperation with the VET regulator (clause 8.2 – 8.3).

LINKED CLAUSES FOR 8.2 & 8.3

2.3 & 2.4

Written agreements with third party providers

Make an annual declaration on compliance with the Standards (Clause 8.4)**Clause 8.4**

The RTO provides an annual declaration on compliance with these Standards to the VET Regulator and in particular whether it:

- a) currently meets the requirements of the Standards across all its scope of registration and has met the requirements of the Standards for all AQF certification documentation it has issued in the previous 12 months, and
- b) has training and assessment strategies and practices in place that ensure that all current and prospective learners will be trained and assessed in accordance with the requirements of the Standards.

WHAT THIS STANDARD MEANS FOR YOUR RTO

You are required to provide a declaration annually on whether your RTO complies with the Standards. The declaration is in relation to whether the RTO:

- currently meets the requirements of the Standards across all its scope of registration and if not, action taken or planned to address the non-compliance, and
- has met the requirements of the Standards for all Australian Qualifications Framework (AQF) certification documentation issued in the last financial year.

By submitting the annual declaration, the RTO's Legally Responsible Person is confirming that:

- the RTO systematically monitors and evaluates training and assessment strategies and practices; and
- uses the outcomes of monitoring and evaluation to inform improvements in business and educational practice.

Providing an annual declaration confirms you have systematically monitored your RTO's compliance with the Standards and whether any issues identified have been corrected. If you have identified that your RTO was/is non-compliant with some of the Standards while conducting your review, you are encouraged to respond truthfully and accurately to the questions in the declaration and will not be penalised for doing so.

Systematic evaluation should be based on evidence from a range of sources, including outcomes of validation, complaints and appeal processes, feedback from learners, clients, trainers and assessors and quality/performance indicator data collected under the Data Provision Requirements.

The annual declaration covers the RTO's entire scope of operations, including all services provided on its behalf by other organisations under third party arrangements, and for all locations where the RTO operates in Western Australia, Victoria or overseas.

The Annual Declaration on Compliance for RTOs registered with TAC is due **by 30 September** for the previous financial year. RTOs that do not submit an annual declaration by the due date may be deemed to be non-compliant with clause 8.4 of the Standards.

A GUIDE TO COMPLIANCE

Although it would be useful, RTOs are not required to have policies or procedures in this area. In general, compliance with these clauses would be demonstrated by the RTO cooperating with TAC in the normal course of business by providing the annual declaration as required.



You are required to provide a declaration on compliance with the Standards when submitting an application for initial registration as an RTO.

LINKED CLAUSES

For ease of navigation, the table below identifies other clauses within the Standards for RTOs associated with RTO provision of an annual declaration on compliance with the Standards (Clause 8.4).

LINKED CLAUSES FOR 8.4

2.1 & 2.2	Quality assurance processes and reviews.
-----------	--

Comply with all relevant legal requirements (clause 8.5 and 8.6)

Clause 8.5

The RTO complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.

Clause 8.6

The RTO ensures its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.

WHAT THIS STANDARD MEANS FOR YOUR RTO

Your RTO must comply with all relevant legislative and regulatory requirements. This includes, but is not limited to, compliance with:

- the *Vocational Education and Training Act 1996* and the *Vocational Education and Training (General Regulations) 2009*

- occupational health and safety legislation and regulations
- anti-discrimination legislation and regulations, and
- consumer protection requirements.

You must keep your staff and clients (including learners) informed about any changes to legislative and regulatory requirements that may affect the delivery of training and assessment. It is your RTO's responsibility to ensure it is aware of all relevant requirements.

A GUIDE TO COMPLIANCE

Although it would be useful, RTOs are not required to have policies or procedures in this area. In general, compliance with these clauses would be demonstrated by the RTO cooperating with TAC in the normal course of business and maintaining compliance with the Standards.

RTOs could demonstrate compliance with requirements to keep staff and clients informed by showing how they have advised of changes to legislation or other regulatory requirements, for example, through publishing updates on legislation on a staff Intranet, sending regular newsletters to staff and learners, or publishing online information about relevant changes.

Should TAC become aware that an RTO has not complied with any legislative or regulatory requirement, TAC may notify the relevant regulatory agency.



If your organisation is seeking registration as an RTO, you are not required to provide specific evidence in this area.