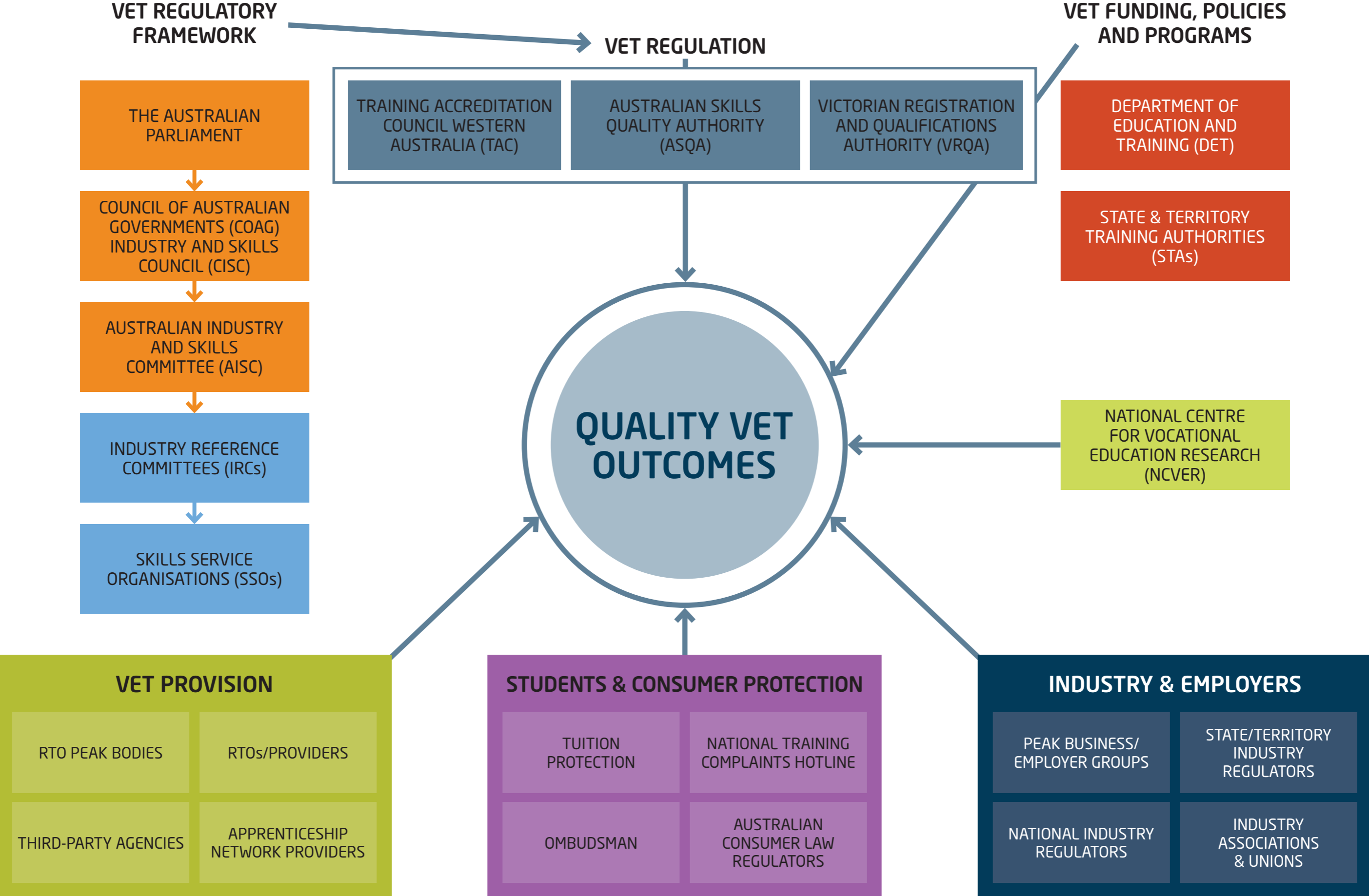


Quality in the VET system - a shared responsibility



Understanding the VET regulatory architecture

The Australian Parliament **approves vocational education and training (VET) legislation** that ASQA regulates against including *National Vocational Education and Training (VET) Regulator Act 2011* and the *Education Services for Overseas Students (ESOS) Act*.

VET REGULATORY FRAMEWORK

VET QUALITY FRAMEWORK

The **VET Quality Framework** aims to achieve greater national consistency in the way RTOs are registered and monitored and in how standards in the VET sector are enforced. The VET Quality Framework comprises the *Standards for Registered Training Organisations (RTOs) 2015*, the *Fit and Proper Person Requirements*, the *Financial Viability Risk Assessment Requirements*, the *Data Provision Requirements*, and the Australian Qualifications Framework.

TRAINING PACKAGE DEVELOPMENT & APPROVAL

Training packages are developed to meet the training needs of industry, or a group of industries. Training packages do not suggest how a learner should be trained, rather, they specify the skills and knowledge required to perform effectively in the workplace. Training providers must comply with training package requirements for nationally recognised qualifications.

Council of Australian Governments (COAG) Industry and Skills Council (CISC) approves all VET standards including the *Standards for Registered Training Organisations 2015*, *Standards for VET Regulators 2015*, *Standards for VET Accredited Courses 2012*, and *Standards for Training Packages 2012*.

Australian Industry Skills Committee (AISC) provides advice to CISC on the implementation of VET policies. AISC quality assures and **approves training packages** for implementation.

Industry Reference Committees (IRCs) provide a forum for industry engagement and feedback on industry trends. IRCs determine industry need and have oversight of training product development. IRCs are voluntary committees representing all business sizes.

Skills Service Organisations (SSOs) provide support and related services to enable IRCs to develop and review training packages.

VET Research: the National Centre for Vocational Education Research (NCVER) is a national research, evaluation and information organisation for the VET sector in Australia, jointly established by state, territory and Commonwealth ministers responsible for skills. NCVER is the data custodian of the national VET statistical collections and national VET survey collections.

VET REGULATORS

ASQA - THE NATIONAL VET REGULATOR

Australian Skills Quality Authority (ASQA) endeavours to ensure that the quality and reputation of Australia's VET system is maintained through effective national regulation of VET providers and accredited VET courses. ASQA also regulates Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) providers including those delivering English Language Intensive Courses for Overseas Students (ELICOS).

ASQA regulates against the National VET Regulator Act, VET Quality Framework, VET legislation, Standards and Training package requirements.

ASQA takes a risk-based approach to regulation of the VET sector by identifying and targeting the greatest risks in relation to RTO (provider) and systemic issues of concern, and applying a proportionate response.

ASQA promotes a quality VET system so that students, employers and industry have confidence in Australia's VET sector.

ASQA strives to achieve this through a collaborative approach that recognises the shared responsibility of all VET stakeholders including RTOs and those responsible for VET provision; employers and industry groups; students and consumer protection agencies; the agencies responsible for developing the architecture that ASQA regulates against; as well as other VET and non-VET regulators.

Victorian Registration and Qualifications Authority (VRQA) regulates RTOs that operate solely in Victoria and do not offer courses online or to overseas students.

The **Training Accreditation Council (TAC)** in Western Australia regulates RTOs that operate solely in WA and do not offer courses online or to overseas students.

VET responsibilities outside ASQA's remit

VET FUNDING, POLICIES AND PROGRAMS

The agencies listed below are responsible for administering VET policies, programs, funding and ensuring compliance of the VET funding contracts they enter into with RTOs. Collaboration and information sharing between ASQA and these agencies are essential to effective VET regulation. A breach of funding program compliance may in some cases also result in a breach of the standards against which ASQA regulates.

Department of Education and Training (DET) Skills & Training division is the Australian Government department responsible for national policies and programs that help Australians access quality higher education, international education and skills and training. DET provides funding to the VET sector through its programs such as: Apprenticeships Incentives programs, Skills for Education & Employment programs. DET administers the VET Student Loans (VSL) scheme and other specific purpose payments.

State and Territory Training Authorities (STAs) are government departments that participate in the planning of national VET objectives. They are responsible for regulation of apprenticeships and traineeships training contracts within their jurisdiction. STAs are also responsible for administering and ensuring RTO compliance of VET funding criteria, including determining nominal hours to be delivered as minimum to meet funding requirements, applicable to their jurisdiction.

UNDERSTANDING THE BOUNDARIES OF ASQA'S ROLE & RESPONSIBILITIES

VET regulators (i.e. ASQA, VRQA & TAC) are not responsible for the functions of direct consumer protection

VET regulators cannot assist VET students to resolve disputes regarding fees or contract breaches by their training provider.

ASQA's role in consumer protection is to enforce the standards for RTOs which are heavily underpinned by consumer protection principles to ensure that learners are properly informed and protected.

Regulation of higher education is the responsibility of the Tertiary Education Quality and Standards Agency (TESQA).

ASQA works with TEQSA to regulate providers that operate in both VET and higher education markets (i.e. multisector providers).

Department of Home Affairs regulates overseas students who come to Australia to study VET through the approval and regulation of student visas. The Department's office of the Migration Agents Registration Authority (MARA) regulates Australian migration agents. ASQA's role in International education is to regulate the provision of training to these students.

The Administrative Appeals Tribunal (AAT) has the powers to set aside decision made by ASQA.

RTOs that contest reviewable decisions made by ASQA may apply to the AAT. The AAT has the power to review decisions made by ASQA.

Industry & employers

INDUSTRY & EMPLOYERS

PEAK BUSINESS/
EMPLOYER GROUPS

STATE/TERRITORY
INDUSTRY
REGULATORS

NATIONAL INDUSTRY
REGULATORS

INDUSTRY
ASSOCIATIONS
& UNIONS

PEAK BUSINESS/ EMPLOYER GROUPS

Peak business/employer groups (e.g. ACCI, AIG, BCA) represent the interests of their members i.e. business and industry, and provide input into vocational training matters.

NATIONAL INDUSTRY REGULATORS

National industry regulators have legislative authority to regulate a particular industry and determine the requirements that need to be met in order for VET graduates to be licensed and/or operate in their industry.

STATE/ TERRITORY INDUSTRY REGULATORS

State/territory industry regulators have legislative authority to regulate a particular industry in their state/territory and determine the requirements that need to be met in order for VET graduates to be licensed and/or operate in that state/territory.

INDUSTRY ASSOCIATIONS & UNIONS

Industry associations and unions represent the interests of their members in a specific vocation, business area or industry, and provide input to vocational training matters relevant to their specific industry.

Employers and industry are integral to a quality VET system.

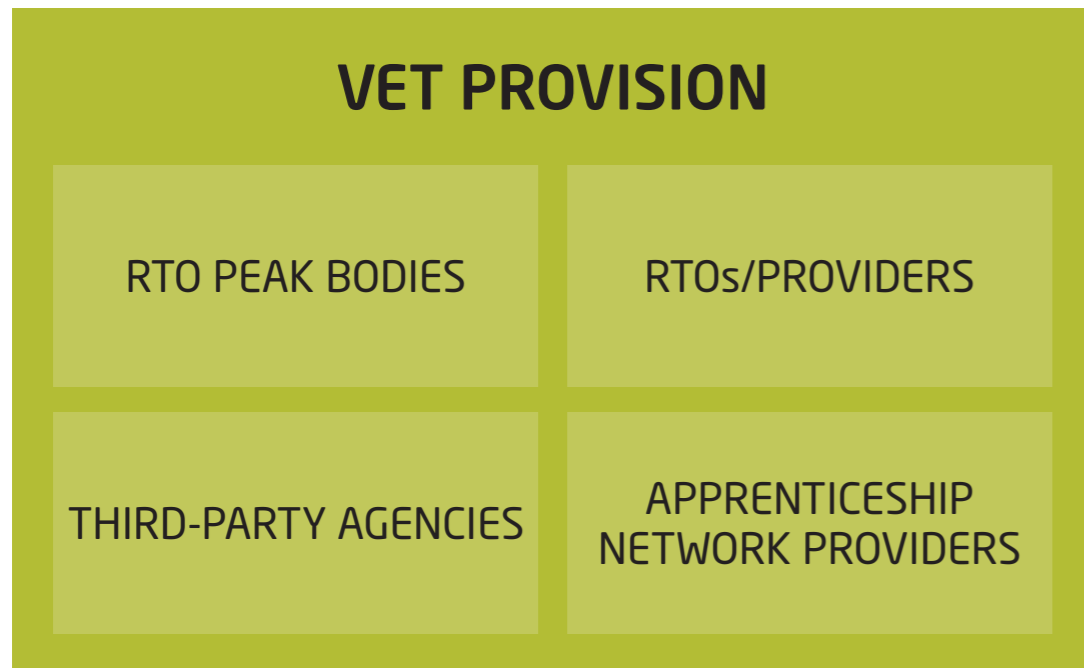
Employers may employ students while they undertake a VET course (sometimes through a traineeship or apprenticeship pathway) or employ VET graduates.

Group Training organisations (GTOs) provide a specific type of employment arrangement that is an option for the employment of apprentices and trainees. The GTO recruits and employs the apprentice or trainee and places them with a host employer.

Some employers have the dual role of both employer and RTO (e.g. enterprise RTOs deliver training primarily to their own employees).

Nationally recognised VET outcomes are offered in almost every industry in Australia. This diversity of industry and employers involved in the VET sector is represented by a range of bodies and associations.

VET provision



VET provision is integral to quality outcomes.

RTOs and providers engage trainers and assessors and are represented by their peak bodies. They also work with a range of other third parties/agencies.

RTOs/ PROVIDERS

Being a registered training organisation (RTO) is a requirement to deliver nationally recognised training or a nationally accredited VET course.

*RTOs who offer VET courses to overseas students studying in Australia must also have CRICOS registration.

*ELICOS providers offer English Language Intensive Courses to overseas students.

RTOs operate in an open and competitive market. RTOs can be publicly established providers e.g. TAFE, a private for-profit RTO, a community-based not-for-profit RTO or an enterprise RTO (i.e. an employer and RTO that delivers training primarily to its own employees).

* Specific to overseas students

RTO PEAK BODIES

RTO peak bodies represent the interests of RTOs in Australia. Private peak bodies are often membership-based e.g. ACPET, NEAS* and English Australia*. The public sector is represented by TAFE Directors Australia (TDA) and enterprise RTOs are represented by the Enterprise RTO Association (ERTO A).

*Representing providers that deliver training to overseas students

APPRENTICESHIP NETWORK PROVIDERS

Apprenticeship network providers offer advice and support services tailored to the needs of employers, apprentices and trainees throughout the apprenticeship lifecycle from pre-commencement to completion.

THIRD-PARTY AGENCIES

Third-party agencies must have a written agreement with RTOs in order to provide services related to nationally recognised training on behalf of an RTO. Those services might include recruitment or enrolment of prospective learners, provision of educational or support including services to overseas students, delivery of training and/or assessment, and issuance of qualifications.

Students & consumer protection

STUDENTS & CONSUMER PROTECTION

TUITION PROTECTION	NATIONAL TRAINING COMPLAINTS HOTLINE
OMBUDSMAN	AUSTRALIAN CONSUMER LAW REGULATORS

Students are at the centre of quality outcomes in the VET sector.

The Council of International Students Australia (CISA) is the national peak student representative organisation for overseas students studying VET, ELICOS or other higher education.

There is not one peak national body that represents the interests of all other VET students as VET students are such a diverse group.

There are a range of organisations that provide avenues for VET sector students to lodge concerns and/or provide consumer protection services for VET students.

DET NATIONAL TRAINING COMPLAINTS HOTLINE

The National Training Complaints Hotline is a joint Australian Government and state and territory governments' initiative that provides a central contact number and referral service for anyone with complaints or queries about the training sector.

AUSTRALIAN CONSUMER LAW REGULATORS

Australia has state, territory and Australian Government consumer law regulators. The Australian Competition and Consumer Commission (ACCC) regulates Commonwealth consumer law and considers student claims regarding breaches of contracts for VET services.

OMBUDSMAN

An ombudsman is a publicly-funded official who acts as an independent intermediary between individuals and governments. Two specialist Commonwealth ombudsmen roles exist with relevance to the VET sector: the VET Student Loans (VSL) Ombudsman and the Overseas Student Ombudsman (OSO). State and territory Ombudsmen operate in their law-making jurisdictions.

TUITION PROTECTION

The Standards for RTOs 2015 (regulated by ASQA) set out requirements for RTOs with regards to pre-paid tuition fees. The Australian Government Department of Education and Training (DET) administers tuition assurance arrangements for VET student loans as well as the Tuition Protection Service (TPS) to assist international students to complete their studies or receive a refund in cases where their provider is unable to fully deliver their course of study.

List of Acronyms

AAT	Administrative Appeals Tribunal	ERTOA	Enterprise RTO Association
ACCC	Australian Competition and Consumer Commission	GTO	Group Training Organisation
ACCI	Australian Chamber of Commerce and Industry	IRC	Industry Reference Committee
ACPET	Australian Council for Private Education and Training	MARA	Migration Agents Registration Authority
AIG	Australian Industry Group	NEAS	National ELT Accreditation Scheme Limited
AISC	Australian Industry and Skills Committee	NCVER	National Centre for Vocational Education Research
ASQA	Australian Skills Quality Authority	OSO	Overseas Student Ombudsman
BCA	Business Council of Australia	RTO	Registered Training Organisation
CISA	Council of International Students Australia	SSO	Skills Service Organisation
CISC	Council of Australian Governments Industry and Skills Council	STA	State Training Authority
COAG	Council of Australian Governments	TAC	Training Accreditation Council (Western Australia)
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students	TAFE	Technical and Further Education
DET	Department of Education and Training	TDA	TAFE Directors Australia
ELICOS	English Language Intensive Courses for Overseas Students	TPS	Tuition Protection Service
ESOS	Education Services for Overseas Students	VET	Vocational Education and Training
		VRQA	Victorian Registration and Qualifications Authority
		VSL	VET Student Loans

Disclaimer: This document provides a brief, introductory overview to assist in navigating the VET system. You should not rely solely on this document to understand the complexity of the roles and responsibilities of the organisations mentioned. Please contact the relevant agency to determine what conditions or eligibility requirements may apply to the services or programs mentioned. Information current as of February 2018.