# **Explanatory Statement**

# **Standards for VET Regulators made under the *National Vocational Education and Training Regulator Act 2011***

Issued by the authority of the Minister for Tertiary Education, Skills, Jobs and Workplace Relations

Subject: *National Vocational Education and Training Regulator Act 2011*

*Standards for VET Regulators*

## Authority

Subsection 189(1) of the *National Vocational Education and Training Regulator Act 2011* (the Act) provides that the Minister may, by legislative instrument, make standards for VET Regulators, as agreed by the Ministerial Council. Subsection 189(2) of the Act provides that the agreed standards are to be known as the *Standards for VET Regulators*.

In accordance with sections 44 and 54 of the *Legislative Instruments Act 2003,* the *Standards for VET Regulators* (the Standards) are not subject to disallowance or sunsetting.

## Purpose and Operation

The purpose of the Standards is to formally identify, in a legislative instrument, the standards for VET Regulators performing functions under the Act.

The Standards are similar to the existing *Standards for State and Territory Registering Bodies* and *Standards for State and Territory Accrediting Bodies* found in the Australian Quality Training Framework (AQTF) and has adopted parts of the existing AQTF standards for registering bodies and accrediting bodies.

## Consultation

Before the Minister made the Standards, the following consultation was undertaken:

* The Standards were discussed with representatives from each State and Territory at meetings held on 3 March 2011 and 24 May 2011.
* The Standards were circulated to the Ministerial Council for endorsement which was received on 24 June 2011.

 **Description of the provisions of the Standards**

## Part 1—Preliminary

**Division 1—Arrangements on commencement**

**SVR 1: Name of Standards**SVR 1 names the Standards for VET Regulators 2011.

**SVR 2: Commencement**SVR 2 provides that the Standards commence on the later of 1 July 2011 or the day after registration on the Federal Register of Legislative Instruments.

**SVR 3: Definitions**SVR 3 defines terms used throughout the Standards.

## Part 2—Introduction and purpose

**SVR 4: Regulatory activities must ensure nationally consistent registration outcomes.**SVR 4 set out requirements to assist with a nationally consistent approach to registration undertaken under the Act.

**SVR 5: Regulatory services must meet the needs of industry and clients.**SVR 5 sets out a requirement for a strategy to engage with and act on information provided by industry and clients.

**SVR 6: Management systems are responsive to the needs of the VET sector.**SVR 6 sets out requirements that VET Regulators must take into consideration to ensure that the management approach taken by the VET Regulator takes into account the needs of the VET sector and is consistently applied nationally.

**SVR 7: Requirements for undertaking registration functions**SVR 7 identifies that auditors, technical advisors and audit teams must meet national competency requirements agreed by the Ministerial Council, or its delegate. It also clarifies that persons making decisions about registration are separate from persons undertaking audit functions.

**Part 3 – Standards for accrediting courses**

**SVR 8: Course accrediting activities ensure nationally consistent outcomes**SVR 8 sets out requirements that the VET Regulator must take into consideration to ensure nationally consistent approach to the accreditation of courses under the Act.

**SVR 9: Accreditation services meet the needs of industry and clients**SVR 7 sets out communication requirements to engage with, and act on, information provided by industry, clients and stakeholders.

**SVR 10: Management systems are responsive to the needs of the VET sector**SVR 10 sets out requirements that VET Regulators must take into consideration to ensure that the management approach taken by the VET Regulator takes into account the needs of the VET sector and is consistently applied nationally.

**SVR 11: Requirements for undertaking accreditation functions**SVR 11 sets out requirements for courses that are to be accredited by the VET Regulator. It also clarifies the minimum knowledge requirements of persons assessing courses seeking accreditation. It clarifies that the person making a decision about the accreditation of a course is separate from the person assessing the course. It also clarifies the national approach to changes to accredited courses during the VET course accreditation period.

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## Part 4 – Quality Indicators

Part 4 identifies the quality indicators used to assess performance of a VET Regulator against the SVR.

**SVR 12: Consistency**SVR 12 identifies a quality indicator about regulatory and accreditation processes and outcomes that are nationally consistent.

**SVR 13: Effectiveness**

SVR 13 identifies a quality indicator about effective regulation and accreditation.

**SVR 14: Proportionality**SVR 14 identifies a quality indicator about proportionate regulatory processes.

**SVR 15: Responsiveness**SVR 15 identifies a quality indicator about responsive regulatory services.

**SVR 16: Transparency**SVR 16 identifies a quality indicator about transparent regulatory services and the need for communication by the VET Regulator with affected persons.