



Standards for VET Regulators 2011¹

I, Chris Evans, Minister for Tertiary Education, Skills, Jobs and Workplace Relations, make these Standards under subsection 189(1) of the *National Vocational Education and Training Regulator Act 2011*.

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Part 1 Preliminary

Division 1 Arrangements on commencement

SVR 1 Name of Standards

These Standards are the *Standards for VET Regulators 2011*.

SVR 2 Commencement

These Standards commence on the later of 1 July 2011 or the day after registration on the Federal Register of Legislative Instruments.

SVR 3 Definitions

In these Standards, unless the contrary intention appears:

Act means the *National Vocational Education and Training Regulator Act 2011*.

Australian Qualifications Framework (AQF) has the meaning given to it by section 3 of the Act.

Industry means bodies that have a stake in the training, assessment and client services provided by RTOs. These can include but are not limited to:

- (a) industry skills councils;
- (b) industry organisations;
- (c) industry training advisory bodies;
- (d) unions;
- (e) specific enterprise/industry clients;
- (f) occupational licensing bodies; and
- (g) group training organisations.

Learner means an individual who is receiving, responding to and processing information in order to acquire and develop competence. This incorporates the processes of preparing and presenting for assessment.

National Register has the meaning given by section 3 of the Act.

Ministerial Council has the meaning given by section 3 of the Act.

Operations include training, assessment and support services related to the RTO's scope of registration, including those delivered across jurisdictions and offshore.

registered training organisation (RTO) means a registered training organisation, defined at section 3 of the Act.

Training Package is a nationally endorsed, integrated set of competency standards, assessment requirements, Australian Qualifications Framework qualifications, and credit arrangements for a specific industry, industry sector or enterprise.

VET accredited course has the meaning given to it by section 3 of the Act.

VET Quality Framework has the meaning given to it by section 3 of the Act.

VET Regulator has the meaning given to it by section 3 of the Act.

- 3.2 These standards may be referred to by the abbreviation 'SVR'. For example this is SVR 3.2

Part 2 Standards for regulatory activities

SVR 4 Regulatory activities must ensure nationally consistent registration outcomes as follows:

- 4.1 VET Regulators must continuously improve national consistency in registration functions by acting on relevant data and by internal and external benchmarking against national regulation.
- 4.2 Regulatory activities are guided by a nationally consistent risk-management approach based on RTOs' performance against nationally agreed quality indicators and assessment of risk attributed to their operations.

(Note: see Part 4 for nationally agreed quality indicators used for assessment of risk.)
- 4.3 Consistency in auditors' judgements is maintained through moderation of audits at all levels.
- 4.4 Sanctions and conditions applied to RTOs are in accordance with legislative requirements and are applied consistently.
- 4.5 VET Regulators must have a communication strategy in place that provides clear advice to RTOs regarding the regulatory arrangements which apply to them and any transition of regulatory responsibility between VET Regulators.

SVR 5 Regulatory services must meet the needs of industry and clients

- 5.1 Regulatory services are continuously improved by acting on data from;
 - (a) learners and other clients of RTOs;
 - (b) industry;
 - (c) Training Package developers;
 - (d) RTOs;
 - (e) State and Territory Governments; and
 - (f) the Ministerial council.

SVR 6

- 5.2 Regulatory responses are proportionate to each RTO's performance against nationally agreed outcomes and the risk level attributed to its operations.
- 5.3 Industry regulators and occupational licensing bodies that use certification from the VET sector are appropriately engaged in regulatory arrangements for the sector.
- 5.4 Complaints regarding RTOs are referred and managed appropriately and used to inform regulatory approach.
- 5.5 Complaints and appeals about regulatory services are resolved efficiently and effectively.

SVR 6 Management systems are responsive to the needs of the VET sector

- 6.1 The VET Regulator continuously improves its management of registration functions by acting on relevant data and internal and external benchmarking.
- 6.2 Registration functions are managed through a defined and documented quality system that is regularly reviewed to ensure its continuing suitability and effectiveness.
- 6.3 Where registration functions are delegated, VET Regulators ensure compliance with all relevant standards and procedures so that decisions by delegates are nationally consistent.

SVR 7 Requirements for undertaking registration functions

- 7.1 Auditors, technical advisors and audit teams meet national competency requirements agreed by the Ministerial Council, or its delegate.
- 7.2 The decision whether or not to:
 - (a) register a training organisation (including decisions for applications from RTOs to amend the scope of their registration or renew registration); or
 - (b) impose sanctions on an RTO; or
 - (c) cancel or suspend an RTOs registration.

is made by a person or people who have not participated in the audit of that training organisation or RTO.

Part 3 Standards for accrediting courses

SVR 8 Course accrediting activities ensure nationally consistent outcomes

- 8.1 National consistency in accreditation functions is continuously improved by acting on relevant data and internal and external benchmarking against national accreditation.
- 8.2 Links are maintained between national Training Package developers and VET Regulators to maximise their complementary roles in meeting industry needs.
- 8.3 The VET Regulator must ensure that units of competency from nationally endorsed Training Packages are incorporated within accredited courses wherever appropriate to maximise the national portability of skills and certification.
- 8.4 Consistency of accreditation decisions is improved and maintained through moderation and professional development strategies at all levels.

SVR 9 Accreditation services meet the needs of industry and clients

- 9.1 Clients are informed about accreditation processes, requirements and decisions.
- 9.2 Accreditation services are monitored and continuously improved by acting on feedback from clients and stakeholders.
- 9.3 Industry regulators and occupational licensing bodies that rely on certification from the VET sector are appropriately engaged in course accreditation arrangements.
- 9.4 Complaints about VET accredited courses are referred and managed appropriately and used to inform the VET Regulator's approach to accreditation.
- 9.5 Complaints about accreditation services are resolved efficiently and effectively.

SVR 10

SVR 10 Management systems are responsive to the needs of the VET sector

- 10.1 The management of accreditation functions is continuously reviewed and improved by acting on relevant data and internal and external benchmarking.
- 10.2 Accreditation functions are managed through a defined and documented quality system that is regularly reviewed to ensure its continuing suitability and effectiveness.
- 10.3 Where accreditation functions are delegated, the VET Regulator will ensure compliance with all relevant standards and procedures so that decisions by delegates are nationally consistent.

SVR 11 Requirements for undertaking accreditation functions

- 11.1 The VET Regulator recognises the endorsement of Training Packages as recorded on the National Register. Accordingly applications for course accreditation will not be approved if the course duplicates, by title or coverage, the outcomes of an endorsed Training Package qualification. A course will not be accredited if the course:
 - (a) outcomes can be achieved through the packaging rules applicable to a Training Package qualification;
 - (b) outcomes can be met by contextualising units of competency within a Training Package qualification;
 - (c) is a sub-set of a single Training Package qualification that could be recognised through a Statement of Attainment;
 - (d) includes competencies additional to those in a Training Package qualification that could be recognised through Statements of Attainment in addition to the AQF qualification, or
 - (e) is made up of modules that ultimately achieve the competencies of a Training Package qualification.
- 11.2 Courses that include units of competency from one or more Training Packages will only be accredited if:

- (a) there is clear evidence that the qualification meets an identified industry, enterprise, education, legislative or community need; and
- (b) it is consistent with the AQF in relation to qualifications or courses leading to a Statement of Attainment.

(Note: in the case of a course leading to a qualification, drawn from units of competency from one Training Package, the VET Regulator notifies the Training Package developing body as soon as possible of the necessity for the review of the Training Package to meet the defined need.)

- 11.3 The VET Regulator will provide advice to relevant Training Package developing bodies and other stakeholders to identify gaps in Training Packages where appropriate.
- 11.4 The VET Regulator will ensure that each course accredited by the Regulator is assessed by a person or persons who, as a minimum, have:
 - (a) thorough knowledge of the relevant national frameworks, standards and guidelines;
 - (b) thorough knowledge of the requirements of the AQF;
 - (c) sufficient knowledge of the industry/enterprise/community area and relevant endorsed Training Packages (or have access to relevant advice as appropriate, based on a risk management approach) to determine that there has been sufficient consultation with and support from relevant industry, enterprise or community personnel; and
 - (d) sufficient and relevant experience and knowledge of competency standards development and course design in the VET sector to evaluate course documents.
- 11.5 A person who has participated in the assessment of a course for course accreditation will not make, or participate, in the accreditation decision.

SVR 12

Part 4 Quality Indicators

Quality Indicators are used to assess performance against the standards. For each Quality Indicator, the VET Regulator will provide qualitative and quantitative data that will be specified annually by the Commonwealth Minister with responsibility for vocational education and training. The quality indicators will be based on the principles below.

SVR 12 Consistency

- 12.1 The extent to which the regulatory processes and outcomes are nationally consistent.
- 12.2 The extent to which the course accreditation processes and outcomes are nationally consistent.

SVR 13 Effectiveness

- 13.1 The extent to which the VET Regulator ensures that
 - (a) only those organisations meeting the *VET Quality Framework* are registered; and
 - (b) RTOs continue to operate in accordance with those standards.
- 13.2 The extent to which VET Regulators ensure that only courses meeting the *Standards for VET Accredited Courses* are accredited.

SVR 14 Proportionality

- 14.1 The extent to which regulatory processes and decisions are guided by:
 - (a) the performance of a RTO in relation to the *VET Quality Framework*; and
 - (b) the assessed risk in relation to the context of the RTO's operations.
- 14.2 The extent to which regulatory processes on course accreditation are guided by identified risks.

SVR 15 Responsiveness

- 15.1 The extent to which the VET Regulator meets its service standards.

SVR 16

- 15.2 The extent to which regulatory services are responsive to the changing needs of the VET system.
- 15.3 The extent to which course accreditation services are responsive to client needs and the changing needs of the national VET system.

SVR 16 Transparency

- 16.1 The extent to which the VET Regulator ensures that:
 - (a) RTOs are informed of their obligations under the *VET Quality Framework*; and
 - (b) the basis for a decision affecting an RTO is clearly documented and communicated to the RTO.
- 16.2 The extent to which VET Regulators ensure that:
 - (a) persons applying for accreditation are informed of their obligations under the nationally agreed standards for accreditation; and
 - (b) the basis for a decision on course accreditation is documented and communicated to the person who applied for accreditation.

Note

- 1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.