



UTP01 – Compliance with legislative and regulatory requirements Policy and Procedure

Title: UTP01 - Compliance with legislative and regulatory requirements Policy and Procedure

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1. Policy

UTA Institute of Technology acknowledges its obligation to comply with the VET quality framework, other national guidelines approved by the National Skills Council, ASQA's guidelines, Commonwealth and State legislative and regulatory requirements and any funding provider guidelines. This policy must be read in conjunction with UTP01-01 Quality Indicators

2. Scope

This policy affects all operations within UTAIT.

3. Responsibilities

The CEO is responsible for the implementation of this procedure and to ensure that staff are aware of its application and implement its requirements

4. Definitions

Training organizations have an obligation to comply with relevant Commonwealth, state or territory legislation and regulatory requirements. Training organisations must ensure that staff and clients are fully informed of legislative and regulatory requirements that affect their duties or participation in vocational education and training.

Compliance with the *VET Quality Framework* is a statutory requirement for registration.

The *VET Quality Framework* comprises the:

- Standards for NVR registered training organizations
- Australian Qualifications Framework
- Fit and Proper Person Requirements
- Financial Viability Risk Assessment Requirements, and
- Data Provision Requirements

In addition to the specific educational legislation and regulations identified above, UTAIT Institute must also comply with other associated legislation and regulation including:

- Occupational Health and Safety Act and legislative requirements
- Accident Compensation (Work Cover Insurance)
- Equal Opportunity Act
- Commonwealth Privacy
- Education Reform Act
- Any other legislation or regulations identified as relevant to the Registered Training Organization
- Charter of Human Rights and Responsibilities Act
- Disability Act
- Working with Children Act

5. Requirements / Process

Registered training organizations must:

- Comply with relevant Commonwealth and State legislations and regulations

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- Comply with reasonable requests from ASQA (regulator) in the provision of information to demonstrate continued conformance to the following standards:
 - State Legislation as defined in the Education & Training Reform Act and its amendments
 - AQTF Quality Indicators reporting
 - VET Quality Framework for VET Providers
- Ensure staff and clients are provided with information about relevant Commonwealth and State legislation and regulations
- Ensure that they have insurance and fee protection necessary to meet regulatory requirements and
- carry out its business
- Review requirements of relevant Commonwealth and State legislative and regulatory requirements.
- Following the review, identify and implement relevant Commonwealth, State and Local Government
- Legislative and Regulatory requirements.

Ensure that all staff are aware of and implement relevant Commonwealth and State legislative and regulatory requirements. This will be accomplished by:

- Induction programs for staff
- Distribution of information to staff on a regular basis
- Information included in the staff handbook and delivery of the courses
- An annual staff appraisal
- Ensure clients are aware of and implement relevant Commonwealth and State legislative and regulatory requirements. This will be accomplished by:
 - Inclusion of information in the documentation provided to prospective students
 - Student handbook
 - Orientation
 - Information posted on notice boards accessible to students
 - Information included in delivery of the courses
 - Information posted on the UTAIT's website (after approval from ASQA)
- Maintain appropriate commercial insurance cover by:
 - Identifying insurable risks
 - Obtaining professional advice regarding required insurance
 - Purchasing all necessary insurance cover as advised and determined necessary by the Institute
 - Reviewing and renewing insurance cover annually
- Ensure UTAIT constantly adheres to provider obligations to protect tuition fees pay in advance by its students to secure students' prepaid tuition fees.

6. Notification of regulator

UTAIT Institute has a duty to keep the regulator informed of changes that may affect its registration. As a principle UTAIT will inform ASQA as early as possible and on all issues it may deem as relevant with a view of keeping the regulator fully informed.

Notice must be provided to the ASQA for the following situations:

- Change of Ownership or substantial shareholding of UTAIT Institute
- Change in Senior Management of the Institute
- Change in delivery addresses of training including relevant regulatory and or other approvals required. (e.g. specialist certification of workshops).



- Change in governance arrangements ensuring compliance with section 4.3.17 of the Education & Training Reform Act 2006.
- Changes in financial standing including (but not limited to):
 - Financial viability or debt ratio
 - Financial guarantor arrangements
 - Insurance arrangements
 - Mechanisms for securing student fee payments for the period from receipt of funds to the students' commencement of studies.

UTAIT Institute will, having already been registered, keep its registration up to date and submit renewal applications in sufficient time to keep its registration current and provide all the necessary information to ASQA.

The CEO is responsible to notify ASQA within 24 hours if UTAIT's registration is suspended or cancelled, an insolvency event occurs or a decision is taken to restructure the business or change of ownership or control of UTAIT Institute.

Course Registration

In addition to the RTO registration, UTAIT Institute will keep the regulator up to date with all proposed courses it intends to deliver, subject to regulatory approval. The information to include course duration, any work based training requirements and mode and place of study.

In addition any arrangements with other providers must be registered with the regulator – this may cover UTAIT Institute acting as the Course Owner and they sub-contracting the delivery or vice versa. Full partnership details including the quality management and continuous improvement management must be covered in the partnership agreement.

Change of Delivery Address

When UTAIT Institute relocates and changes one or more campuses or their head office, they must notify:

- ASQA in writing of any change and pay the current fee.
- The students affected.

Both ASQA and Students must be given at least 20 working days notice. UTAIT will be prepared to have an audit of the new premises.

7. ASQA Compliance

UTAIT Institute will make available to the regulator at their request the following information. UTAIT Institute provides the information or stores the information as shown below.

- Evidence of company incorporation in Australia
- CEO Physical address of the company in Victoria for the purposes of serving notices
- Names of CEO with working with children checks
- Contact arrangements for CEO including during holidays and other close down periods.
- CEO is available on his mobile phone at all reasonable times.
- Physical addresses of the location of financial, student and staff records including archives and computer back up storage.
- All administrative offices, computer backup and storage are located at: 58 Newland Road, Reservoir, VIC 3073



- Financial management system/s, including systems for managing student fee payments and student refunds.
- All finances are recorded on web-based MYOB system.
- Student records management system and administration capacity, including the capacity to provide the ASQA with AVETMISS compliant data and to ensure that copies of student records are able to be provided in electronic and print versions, at no cost to ASQA in the event that the provider ceases operations
- All information is stored on the Student Management System. Data will be back up on a daily basis and one copy will be back up offsite.
- Staff records are in place to ensure that f each training and assessment staff member the following verified or certified documents including:
 - Trainer skills matrix – signed by trainer/assessor
 - Trainer/assessor qualifications – verified by RTO or otherwise certified
 - vocational qualifications – verified by RTO or otherwise certified
 - CV - signed by trainer/assessor
 - professional development activities – verified and/or signed by trainer/assessor
 - position description
 - Employment contract/agreement.
 - Each member of staff has the required information stored in the individual's staff file

8. Data Provisions and Submissions

Submission of Annual summary report to ASQA against the quality indicators UTAIT must submit the quality indicator data reports in full to ASQA at qidata@asqa.gov.au by close of business on 30 June yearly.

Submission of Competency Completion UTAIT to submit data to ASQA via AQTF Competency Completion Online System by close of business on 30 June yearly.

Publication of most recent Quality Indicators: UTAIT must publish a copy of the most recent Quality Indicators in relation to Learner's Engagement, Employer Satisfaction and Competency Completion.

Publication of most recent registration report UTAIT must publish a copy of the most recent registration report from the registering body on the website within one month of the commencement of Service agreement and updated if and when new registration audit report/s become available.

In the event that UTAIT does subcontract any Training Services to another RTO. UTAIT will immediately notify ASQA of its intention.



Revision History

Version	Continuous Improvement Reason	Continuous Improvement Change
1.0	Original document	
1.1	Original document renew	