

What you need to know – key take outs

To ensure that ITeC Academy abides by all relevant legislation and ethical operations including;

- Compliance with legislation and regulatory requirements is monitored and maintained.
- Copies of or access to all legislation that affects their business and/or services delivered are maintained.
- Legislation and regulatory requirements relevant to operations are integrated into policies and procedures.
- All staff and clients are provided with information regarding changes in legislation and regulatory requirements that affect their duties or participation in vocational education and training services provided.

Always read this policy in conjunction with the related procedures identified below.

Policy principles	<ul style="list-style-type: none"> • ITeC Academy operates ethically and meets all its’ legislative and regulatory obligations.
Purpose	<p>ITeC Academy is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) and applicable Commonwealth, State, and Territory legislation relevant to operations by</p> <ul style="list-style-type: none"> - integrating these into policies and procedures, - maintaining compliance - informing employees, contractors, students and clients of changes to legislation that affect the services delivered.
Risk statement	<p>IRT and ITeC Academy have a low risk appetite for failing to meet our legislative obligations.</p>
Scope	<p>The scope of this policy covers all ITeC Academy employees, contractors and Third Parties acting on behalf of ITeC Academy and ITeC Academy students.</p>
Related procedure	<p>See ITeC Academy Procedure Manual sections;</p> <ul style="list-style-type: none"> - Our Code of Practice - ITeC Academy – Our Quality Framework – all sections - Meeting Legislative Requirements - Meeting Contract Requirements - Meeting Regulatory Requirements - Privacy

	<ul style="list-style-type: none"> - Complaints - Appeals
Related documents	<ul style="list-style-type: none"> • 1.03.813 Record Retention and Reporting Policy • 1.03.810 Continuous Improvement Policy • 1.03.806 Enrolment • 1.03.812 Language Literacy and Numeracy • 1.03.038 Student Progress • 1.03.853 Student Welfare and Support • 1.03.845 Credit Transfer and Recognition • 1.03.851 Workplace Training and Placement • 2.82 Student Behaviour and Disciplinary • 1.03.829 Complaints and Appeals • Student Handbook • Procedure Manual • ITeC Academy marketing assets • Enrolment Form
Compliance requirements	<ul style="list-style-type: none"> • Commonwealth - National Vocational Education and Training Regulator Act 2011 • New South Wales - Vocational Education and Training (Commonwealth Powers) Act 2010 • Queensland – Vocational Education and Training (Commonwealth Powers) Act 2012 • ACT – Training and Tertiary Education Act 2003 • Student Identifiers Act 2014 • Corporations Act 2001 • Competition and Consumer Act 2010 • Copyright Act 1968 • Spam Act 2003 • Anti-Discrimination legislation (see Access and Equity Policy) • Work Health and Safety legislation (see IRT WHS policies) • Privacy legislation (see Privacy Compliance_ITeC Policy) • Standards for RTOs 2015 - all

Policy owner	General Manager ITeC Academy
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1 Regulatory Standards and relevant legislation

This policy has been written to align with the Standards for RTOs and other relevant legislation and regulations. The following table explains the link between this policy and the relevant external requirements.

Standard / legislation	What this means
National Vocational Education and Training Regulator Act 2011	<p>The National Vocational Education and Training Regulator Act 2011 is legislation that establishes the Australian Skills Quality Authority (ASQA) as the national regulator for the vocational education and training (VET) sector.</p> <p>ASQA is tasked with ensuring the quality and consistency of VET services across Australia.</p> <p>ASQA has powers to investigate complaints, conduct audits of providers, impose sanctions for non-compliance, and revoke registrations or accreditations where necessary to protect the integrity and quality of the VET sector.</p>
Privacy Act 1988	<p>The Privacy Act requires that ITeC Academy have a Privacy Policy that sets out how ITeC Academy will deal with personal and sensitive information.</p>
Student Identifiers Act 2014	<p>The Student Identifiers Act 2014 (the Act) prevents anyone other than the USI account owner from collecting, using or disclosing USI information without consent unless permitted by the Act.</p>
Competition and Consumer Act 2010	<p>The Competition and Consumer Act 2010 consolidates various aspects of competition policy and consumer protection law in Australia. The legislation aims to enhance the welfare of Australians by promoting fair trading and competition, and providing consumer protections.</p>
New South Wales - Vocational Education and Training (Commonwealth Powers) Act 2010	<p>The Vocational Education and Training (Commonwealth Powers) Act 2010 is legislation enacted by the New South Wales (NSW) Parliament to refer certain state powers relating to vocational education and training (VET) to the Commonwealth of Australia. This referral of powers allowed the Commonwealth to establish a national VET regulatory framework, which led to the creation of the Australian Skills Quality Authority (ASQA).</p>

Standard / legislation	What this means
Queensland – Vocational Education and Training (Commonwealth Powers) Act 2012	The Vocational Education and Training (Commonwealth Powers) Act 2012 is legislation enacted by the Queensland Parliament to refer certain state powers related to vocational education and training (VET) to the Commonwealth of Australia. This referral of powers is similar to actions taken by other states, enabling the Commonwealth to establish a national VET regulatory framework, administered by the Australian Skills Quality Authority (ASQA).
ACT – Training and Tertiary Education Act 2003	The Training and Tertiary Education Act 2003 is legislation enacted by the Australian Capital Territory (ACT) to govern training and tertiary education within the territory. This Act provides the framework for the regulation and administration of vocational education and training (VET) and higher education in the ACT.
Corporations Act 2001	The Corporations Act 2001 is federal legislation in Australia that regulates corporate entities, financial markets, and financial services. Administered by the Australian Securities and Investments Commission (ASIC), it is one of the key laws governing the conduct and structure of companies in Australia.
Copyright Act 1968	The Copyright Act 1968 is the primary legislation governing copyright law in Australia. It provides the legal framework for protecting the rights of creators and owners of original works, such as literary, artistic, musical, and dramatic works, as well as films, sound recordings, broadcasts, and published editions
Spam Act 2003	The Spam Act 2003 is an Australian law designed to regulate commercial electronic messages and combat the proliferation of spam. The Act aims to protect Australians from receiving unsolicited commercial electronic messages and sets out rules for businesses and individuals who send these types of messages.
Standards for RTOs 2015 -all	The Standards for Registered Training Organizations (RTOs) 2015 are a set of regulations developed by the Australian Skills Quality Authority (ASQA) to ensure that RTOs deliver quality training and assessment services.

Standard / legislation	What this means
	<p>SRTO1. 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.</p> <p>SRTO2. The operations of the RTO are Quality Assured</p> <p>SRTO3. The RTO issues, maintains, and accepts AQF certification documentation in accordance with these standards and provides access to learner records.</p> <p>SRTO4. Accurate and accessible Information about an RTO, its services and performance is available to inform prospective and current learners and clients.</p> <p>SRTO5. Each learner is properly informed and protected</p> <p>SRTO6. Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.</p> <p>SRTO7. The RTO has effective governance and administration arrangements in place.</p> <p>SRTO8. The RTO cooperates with the VET regulator and is legally compliant at all times.</p>

2 Policy Details

2.1 Student/Client Rights and Consumer Protection

ITeC Academy endeavours to protect the rights of the student and provide services as outlined to the student.

We promise to market and advertise our services ethically and accurately.

Students will be advised of all fees and charges that apply prior/at enrolment and for the duration of the course.

ITeC Academy provides a documented, fair and reasonable refund policy and procedure that is communicated to all students prior to enrolment. In the event that our RTO is not able to fulfill its obligations to the student/s we have measures in place to provide a refund.

We ensure that student academic, financial and other records maintained by us are complete and accurate. These records are managed to maintain confidentiality and will not be provided

to third parties unless authorised by the student in writing or required under law. Students may view their own records to confirm their accuracy & completion.

In the event that ITeC Academy ceases to operate, ITeC Academy will endeavour to support enrolled students to access a suitable alternative Registered Training Organisation to complete their qualification/short course/skill set.

2.2 Access and Equity

We are committed to principles of access and equity and will not unlawfully discriminate against clients/students.

The obligations we place on our employees and students are to protect their health, safety and welfare and ensure as far as possible that learning experiences are positive and free from discrimination and harassment.

We will deal fairly and constructively with concerns and complaints regarding ITeC Academy service. See the Access and Equity Policy for details.

2.3 Industry Recognition

As part of our course development and continuous improvement processes we consult with industry representatives to evaluate our products and services. We do this to ensure that the qualification delivered is to the standard expected in the workplace.

Where training and assessment occurs in the workplace, evidence of performance contributes to assessment tasks and competency outcome.

To meet the highest standard of training and assessment services, ITeC Academy Trainer/Assessors and other personnel regularly engage in professional development and industry engagement to ensure currency and best practice skills and knowledge. See the Industry Engagement Policy for details.

2.4 Quality Systems

ITeC Academy is continuously improving its systems and services and we will seek Student Feedback to help inform what changes and improvements we undertake.

The Registered Training Organisation operates under the National Vocational Education and Training Regulator Act 2011. We ensure that at all times, our systems and operations meet the Standards for Registered Training Organisations 2015.

See the Quality Framework Section in the ITeC Academy Procedure Manual.

2.5 Student Needs

We recognise that students may have skills and knowledge that are relevant to the enrolled course outcomes. ITeC Academy will assist students to gain recognition for these skills and knowledge through a process known as; Recognition of Prior Learning or Credit Transfer.

If the student has completed the relevant and validated unit of competency with another Registered Training Organisation, ITeC Academy will automatically credit the unit(s) towards the completion of the qualification once verified.

ITeC Academy offers training and assessment services that are within the resources of ITeC Academy to meet individual learning needs.

See the following policies for specific detail;

- Enrolment
- Language Literacy and Numeracy
- Student Progress
- Student Welfare and Support
- Credit Transfer and Recognition
- Workplace Training and Placement
- Student Behaviour and Disciplinary
- Complaints and Appeals

2.6 Identifying legislative requirements

ITeC Academy will apply a risk management approach to meeting legislative requirements and the General Manager will record the assessed risks and treatment measures within the IRT self-assessment tools managed through the iAuditor platform.

This analysis of risks and countermeasure strategies is to be detailed to allow all staff to understand the ITeC Academy strategy to meeting specific legislative responsibilities.

The General Manager ITeC Academy is responsible for ensuring appropriate information regarding the risk analysis and countermeasure strategies is communicated to all RTO employees in a timely and accessible manner.

2.7 Informing employees of their responsibilities

ITeC Academy acknowledges that it has a responsibility to inform and educate employees about the legislative requirements that apply to its day to day operations. By taking a coordinated approach to inform employees of these requirements, we will build a culture of acceptance and positive compliance.

It is the responsibility of ITeC Academy employees to ensure that they are fully informed of applicable legislative requirements. Subscriptions to relevant VET services may include but are

not limited to; ASQA, NSW State Training Services, ACT Skills, NCVER and ITECA online newsletters are primary sources of legislative information updates.

2.8 Annual Professional Development

ITeC Academy employees are encouraged to take an active role in the interpreting and application of legislative requirements within ITeC Academy operations.

2.9 Fit and Proper Persons

ITeC Academy ensures that its executive officers or high managerial agents:

- a) Are vested with sufficient authority to ensure that ITeC Academy complies with the RTO Standards at all times; and
- b) Meet each of the relevant criteria specified in the Fit and Proper Person Requirements as directed by ASQA.

2.10 Data Provision

ITeC Academy commits to providing accurate and current information as required by the Data Provision Requirements of the Australian Skills Quality Authority as updated from time to time.

2.11 VET Regulator Cooperation

IRT commits to provide the VET Regulator:

- a) Accurate and truthful responses to information requests from the VET Regulator relevant to the RTO's registration;
 - i. In the conduct of audits and the monitoring of its operations;
 - ii. By providing quality/performance indicator data;
 - iii. 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;
- b) Information about significant changes to its ownership within 90 calendar days of the change occurring; and
- c) In the retention, archiving, retrieval and transfer of records
- d) An annual declaration on compliance with the Standards for Registered Training Organisations 2015, to the VET Regulator and in particular whether it:
 - i. 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

- ii. Have 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.

3 Records Management

All documentation from enrolment processes is maintained in accordance with the Record Retention and Reporting Policy.

4 Continuous Improvement

All enrolment practices are monitored by the General Manager of ITeC Academy and areas for improvement identified and acted upon (See Continuous Improvement Policy).

In practice example:

1. ITeC Academy implements the annual RTO Obligations Checklist action items including the annual declaration of compliance to ASQA.
2. During the annual team professional development workshop a session was delivered by the IRT Legal team outlining the importance of the relevant legislation we are required to comply with.

5 Roles and responsibilities

Role	Responsibility
Policy Owner – General Manager ITeC Academy	<ul style="list-style-type: none"> • Overall responsibility for the development and implementation of policy.
Subject matter expert – Compliance Manager	<ul style="list-style-type: none"> • Policy drafting. • Conduct self-assessment activities against the obligations of the RTO. • Provide advice regarding opportunities to improve the policy.
Implementation – all Academy employees	<ul style="list-style-type: none"> • Implement the policy directly with students and prospective students.

6 Definitions

In this Policy, words have the following meaning:

Term	Definition
Student Identifier	Has the meaning given in the Student Identifiers Act 2014
RTO	Registered Training Organisation
LLN	Language, literacy and numeracy
ASQA	Australian Skills Quality Authority
VET	Vocational Education and Training
ITECA	Independent Tertiary Education Council of Australia
NCVER	National Centre for Vocational Research