

Policy

Tracmin Pty. Ltd. (trading as Tracmin) will apply systems and controls across all operations to ensure that best practice governance mechanisms are implemented and monitored. These systems and controls will ensure that Tracmin meets the regulations, legislation and obligations as prescribed in the Standards for RTO's 2015 and state-based funding contracts.

Objective

Tracmin will ensure that the system and control mechanisms support sustainable business practices that minimise risks and promote best practice. Additionally, Tracmin will ensure that all governance mechanisms contribute to high-quality student experiences across the student life cycle.

Staff Responsible:

- All Tracmin staff members

Compliance Standards:

This policy relates to the following Standards for RTO's 2015 Clauses: 2.1, 2.3, 2.4 7.1, 7.2, 7.4, 7.5, 8.1, 8.2, 8.4 - 8.6.

This policy relates to the following WA Purchase of Training Services General Provisions (Conditions of Contract) Clause: 4.1 (n), Business Rules Clause: 19.

Related Policies/Templates/Documents:

All the following are covered by this policy and form part of the RTO governance framework:

- Policies and Procedures
- Forms and Documents
- Process Flowcharts
- Manuals
- Notifications

Definitions

Data Provision Requirements 2020 are the requirements for data provision as agreed by the Industry and Skills Council and implemented by the VET regulator as required by its governing legislation.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

Executive Officer means:

- a. a person, by whatever name called and whether or not a director of the organisation, who is concerned in or takes part in the management of the RTO; or
- b. an administrator, receiver and manager, or liquidator of the organisation (other than a receiver and manager, or liquidator, appointed by a court); or
- c. if the RTO is a body corporate:
 - i. a person who, at any time during a period for which the organisation is registered, owns 15% or more of the organisation; or
 - ii. a person who, at any time during a period for which the organisation is registered, is entitled to receive 15% or more of dividends paid by the organisation; or
 - iii. the administrator of a deed of company arrangement executed by an organisation; or
 - iv. a trustee or other person administering a compromise or arrangement made between the organisation and another person or other persons.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

Financial Viability Risk Assessment Requirements means the requirements made under section 158 of the *National Vocational Education and Training Regulator Act 2011* or equivalent requirements made or adopted by the VET Regulator of a non-referring State as the case requires.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

High managerial agent means an employee or agent of the organisation with duties of such responsibility that his or her conduct may fairly be assumed to represent the organisation in relation to the business of providing courses.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

Operations of an RTO include training, assessment and administration and support services related to its registration, including those delivered across jurisdictions and offshore.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

Training Package means the components of a training package endorsed by the Industry and Skills Council or its delegate in accordance with the Standards for Training Packages. The endorsed components of a Training Package are units of competency; assessment requirements (associated with each unit of competency); qualifications; and credit arrangements. The endorsed components form part of the requirements that an RTO must meet under these Standards. A training package also consists of a non-endorsed, quality assured companion volume/s which contains industry advice to RTOs on different aspects of implementation.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

Training Product means AQF qualification, skill set, unit of competency, accredited short course and module.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

VET Quality Framework comprises of:

1. the Standards for Registered Training Organisations
2. the Australian Qualifications Framework
3. the Fit and Proper Person Requirements
4. the Financial Viability Risk Assessment Requirements
5. the Data Provision Requirements
6. (Source: <https://www.asqa.gov.au/standards/appendices/glossary>)

VET regulator means:

- a. the National VET Regulator; and
- b. a body of a non-referring State that is responsible for the kinds of matters dealt with under the VET legislation for that State.

(Source: <https://www.tac.wa.gov.au/StandardsRTOs2015/Pages/FAQs/Glossary%20of%20Terms.aspx>)

Policy

1. Authorised Officers

- Tracmin will ensure that its executive officers or high managerial agent:
 - Are vested with sufficient authority to ensure Tracmin complies with the RTO standards at all times.
 - Meet each of the relevant criteria specified in the Fit and Proper Person Requirements in Schedule 3 (Source: <https://www.legislation.gov.au/Details/F2019C00503>)
- Tracmin will guarantee that all managers have authority to ensure that Tracmin complies with the Standards for RTO's 2015.
- Tracmin will provide TAC with a Fit and Proper Person Declaration for each executive officer or high managerial agent.

(Source: <https://www.tac.wa.gov.au/SiteCollectionDocuments/D20%200130747.pdf>)

2. Change of Management or Ownership

- Tracmin will notify the Training Accreditation Council (TAC) in the event of:
 - A proposed sale or transfer of a legal entity that is registered with TAC.
- Tracmin will notify the Training Accreditation Council immediately formal agreement has been reached and at least 30 days prior to settlement that the training organisation is to be sold, transferred or otherwise assigned.
- The death of a natural person when registration has been issued to a sole proprietor.
- Tracmin will carry on the role of responsible person and offer training and assessment services, including issuance of qualifications and Statements of Attainment, until the sale, transfer or assignment is formally completed, at which point the registration with TAC will cease.
- In the case of bankruptcy/liquidation
- Tracmin will notify the TAC immediately it becomes apparent the legal entity is to enter liquidation or bankruptcy.

Policy on Change of Legal Entity of a Registered Training Organisation Training Accreditation Council (TAC):

(Source: <https://www.tac.wa.gov.au/SiteCollectionDocuments/2015-07541.pdf#search=change%20of%20ownership>)

RT07 Change of Legal Entity Application to the Training Accreditation Council (TAC)

(Source: <https://www.tac.wa.gov.au/SiteCollectionDocuments/2015-07542.pdf#search=change%20of%20ownership>)

- Tracmin will notify the Corporation (Department of Training and Workforce Development) in writing of any significant changes to its ownership or operations, **AT LEAST** 15 business days in advance. This includes changes to the Service Providers ownership, CEO or operations (including its financial viability and any intention or decision to cease operations as an RTO).

3. Financial Management

- Tracmin will ensure that accounting systems are always maintained with integrity and accuracy by staff who have an appropriate level of expertise in financial management in accordance with the Australian Accountant Standards.
- Tracmin will manage the auditing of all financial accounts which will be conducted by a suitably qualified external auditor in accordance with the Australian Accounting Standards Board **AT LEAST** once every financial year.
- Tracmin will ensure that they maintain an acceptable level of financial viability risk at all times.
- Tracmin will ensure they have evidence of acceptable financial viability risk that may include:
 - Financial statements and tax records
 - Business plans or projections
 - Australian Securities and Investments Commission (ASIC) reports
 - Dependency statements
 - Independent financial assessments or audit opinions
 - Government contracts
- Tracmin will provide all relevant financial information to the regulator upon request.

4. Compliance and Reporting

- Tracmin will ensure that it complies with the Standards for RTO's 2015 at all times, across all operations and within its scope of registration.
- Tracmin will provide an annual declaration on compliance to the regulator and in particular whether it:
 - Currently meets the requirements of the standards across its scope of registration and has met the requirements of the standards for all AQF certification documentation.
(Refer to P-043 Issuing AQF Certification Documentation Policy).
 - Has 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.
- Tracmin will comply with Commonwealth, state and territory legislation and regulatory requirements relevant to its operations.
- Tracmin will ensure that its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.

(Source: https://www.tac.wa.gov.au/registration/Reporting_requirements/Pages/default.aspx)

5. Public Liability Insurance

- Tracmin will ensure that they hold public liability insurance that covers the scope of its operations throughout its registration period.
- Tracmin will monitor the currency of their public liability insurance and ensure that it renewed **PRIOR** to the expiry date annually.
(Source: <https://www.tac.wa.gov.au/SiteCollectionDocuments/RTOS-UG20.pdf#search=public%20liability%20insurance>)
- Tracmin will maintain the following insurances:
 - Public liability insurance for an amount not less than \$20 million for any one occurrence and unlimited in the aggregate
 - Workers compensation insurance for an amount of not less than \$50 million for any one occurrence
 - Professional indemnity insurance for a sum of \$5 million for any one claim and in the annual aggregate. Professional indemnity insurance must be extended to include:
 - a) fraud, dishonesty, defamation, breach of confidentiality, infringement of patent, copyright, design, trademark or circuit layout rights;
 - b) loss of or damage to documents and data; and
 - c) breach of Chapters 2 and 3 of the Australian Consumer Law and the Australian Consumer Law (WA).
 - Tracmin will ensure that the insurances are taken out and maintained with reputable insurers.

6. Data Provision Requirements 2020

- Tracmin will provide accurate and current information on its performance and governance consistent with the Data Provision Requirements 2020 via:
 - Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) data
 - Quality indicator data
- Tracmin will submit their AVETMISS data through RTONet by submitting RAPT files monthly at the time of each upload.
- Tracmin will submit their Learner and Employer Survey Data Report to TAC annually by 30th June and report on AQTF questionnaire data collected between January and December of the previous calendar year. The submission to TAC must be emailed to the following email address: tac@dtwd.wa.gov.au.

7. Provision of Information to the Regulator (Clauses 8.1 & 8.2)

- Tracmin will cooperate with the regulator:
 - By providing accurate and truthful responses to information requests from the regulator relevant to Tracmin's registration
 - In the conduct of audits and the monitoring of its operations
 - By providing quality/performance indicator data
 - By providing information about substantial changes to its operations or any event that would significantly affect Tracmin's ability to comply with the standards **PRIOR** to the change occurring.
 - By providing information about significant changes to its ownership **PRIOR** to the change occurring.
 - By ensuring that information about the physical address of any training site is kept up to date via the National Register (training.gov.au).
 - In the retention, archiving, retrieval and transfer of records.

(Source: <https://www.tac.wa.gov.au/SiteCollectionDocuments/RTOS-UG20.pdf#search=public%20liability%20insurance>)

8. Quality Assurance/Continuous Improvement

- Tracmin will ensure quality training and assessment services are maintained by systematic monitoring across all its operations.
- Tracmin will adopt a continuous improvement approach by implementing incremental and breakthrough improvements over time to constantly improve the student experience.
- Tracmin will collect and review all improvement suggestions using a ticketing system. Any stakeholder can submit an improvement suggestion by emailing: compliance@tracmin.com.au.
- Tracmin will review and respond to all continuous improvement tickets each fortnight and implement improvements accordingly.
- Tracmin schedules continuous improvement ticket reviews through its student management system (aXcelerate) quality register.
- Tracmin will collect and analyse feedback from students through survey data from:
 - AQTF Surveys
 - F-207.4 Marketing, Recruitment and Enrolment Survey
 - F-208.4 Student Support and Training and Assessment Survey
 - F-209.4 Completion and Overall Satisfaction Survey(Also refer to **P-207.4 Survey Policy & Procedure** for further information)
- Tracmin will advise all stakeholders of any changes, updates, and improvements to its operations by sending a Compliance and/or Curriculum Notification via email that describes:
 - The nature and details of the change
 - What the change/s mean for each staff member
 - Document name/s
 - Location the new document is saved/stored.
 - Effective date of the change

All Compliance Notifications are recorded on **R-910 Continuous Improvement & Risk Management Register**.

9. Scope of Registration Management

- Tracmin will regularly review their scope of registration to keep abreast of any changes and to ensure that all training products are current.
- Where training products not in use, strategic decisions will be made about removing them from the scope of registration.
- The Compliance Team, in consultation with the Operations Manager and General Manager, will discuss adding new training products to the scope of registration based on market demands and strategic planning.
- Tracmin will monitor training products on its scope of registration that have been superseded to determine equivalency. Where a training product is deemed non-equivalent, Tracmin will apply to have the replacement qualification added to the scope of registration.
- Tracmin will apply to either add or remove a training product from the scope of registration, via TAC RTO Portal (www.tac.wa.gov.au).
- Tracmin will apply to either add or remove a training product from the scope of registration via the RTO Portal: <https://www.tac.wa.gov.au/Pages/default.aspx>.

10. Management of Minors

- Tracmin is responsible for implementing and maintaining processes to protect students under the age of 18 from risks of harm.
- All staff interacting with students under the age of 18 are always required to hold a current Working with Children’s Check.
- Tracmin will ensure that all staff area aware of the reporting requirements in terms of suspected abuse or neglect of minors
- Tracmin will communicate these requirements to all new staff at induction upon engagement.
- Tracmin will ensure that this process will be regularly reviewed to ensure a safe learning environment is provided for minors.
- Student Administration staff will advise all relevant staff when a minor has enrolled in a training program to ensure the relevant protocols are adhered to at all times.
- Communicate to students that they are not permitted to bring minors (children) to class that are not an enrolled student with Tracmin. This would contravene the scope of Tracmin’s insurance policy and in the event of an accident or emergency any minors other than students will not be covered.

Document Revision History

Version Number	Author	Date	Description
4.0	Pippa Price	18/06/2020	Policy created for specific RTO from original policy P-054 (V4.0)
4.1	Compliance Team	07/07/2020	Update to legislation
4.2	Rebekah Faleafaga	20/08/2020	Minor updates to change of ownership notification timeframe as per WA state requirements.
4.3	Catherine O’Rourke	18/12/2020	Updated information to align with the new version of the Data Provision Requirements 2020.
4.3	Fiona Dunkerton	11/03/2021	References and links reviewed and updated to meet state requirements.