

Registered Training Organisation (RTO) Compliance Procedures

1. Associated Policy

These Registered Training Organisation (RTO) Compliance Procedures have been developed in conjunction with the Registered Training Organisation (RTO) Compliance Policy and the CIT Compliance Framework.

2. Introduction

CIT must meet the requirements of the following regulatory bodies and Standards for registered training organisations:

- [Standards for Registered Training Organisations \(RTOs\) 2015](#)
- [National Vocational Education and Training Regulator Act \(NVETR\)](#)
- [Australian Skills Quality Authority \(ASQA\)](#)
- [ELICOS Standards and the Education Services for Overseas Students \(ESOS\) National Code](#)
- [ACT Vocational Education and Training \(VET\) Quality Framework](#)

These procedures provide additional clarification and guidance for consistency in the application of these legislative and regulatory requirements across CIT, as well as procedural steps where appropriate to support the Registered Training Organisation (RTO) Compliance Policy.

3. Procedures

3.1. Roles and Responsibilities

Roles	Responsibilities
Board Members	Upon initial appointment complete an ASQA Fit and Proper Person Declaration Monitor Compliance Obligation register
Executive Management Committee	Upon initial appointment complete an ASQA Fit and Proper Person Declaration Identify Reportable Occurrence(s) that require Material Change Notifications (MCNs) and notify the relevant Accountable Executive Support Accountable Executive(s) in the preparation of MCNs and regulator request for information and compliance assessments Approve all changes to scope of registration
Chief Executive Officer (CEO)	Nominate and approve Accountable Executive(s) for ASQA including Commonwealth Register for Institutions and Courses for Overseas Students (CRICOS) Approve all Material Change Requests for ASQA

	<p>Approve all changes to Scope of Registration or delegate such to Executive Director, Education Futures and Students</p> <p>Approve responses to ASQA requests for information and compliance assessments</p> <p>Notify relevant committees of relevant compliance related activities</p> <p>Provide an Annual Declaration of Compliance to ASQA</p> <p>Provide the Quality Indicator (QI) Summary to ASQA by 30 June each calendar year for the previous year</p>
Executive Director, Education Futures and Students	<p>Act as Accountable Executive for CRICOS Registration</p> <p>Approve all changes to Scope of Registration on ASQA forms</p> <p>Act as Delegate for the purposes of the ASQA Delegation of Scope Agreement</p>
Executive Branch Manager, Audit, Risk and Corporate Governance	<p>Support the Accountable Executive for ASQA Annual Declaration of Compliance and Delegation of Scope Review, and registration renewals for both RTO and CRICOS registrations</p> <p>Coordinate the following activities and maintain records:</p> <ul style="list-style-type: none"> • Annual Declaration of Compliance to ASQA • Annual Delegation of Scope Review • Registration renewal • Fit and Proper Persons declarations • Management of complaints • Material Change Notifications (MCNs) • Third party agreements for Training and Assessment providers
Student Experience Lead	<p>Coordinate additions and deletion of training products to the scope of registration</p> <p>Regularly audit scope of registration to ensure ongoing compliance</p>
Education Design and Delivery Lead	<p>Coordinate the following activities and maintain appropriate records:</p> <ul style="list-style-type: none"> • Training and Assessment Strategies development, review and approval • Communicate changes and their impacts relating to the above • Self-assurance/continuous improvement activities relating relevant to their portfolio
Senior Education Leader	<p>Coordinate the following activities and maintain appropriate records:</p> <ul style="list-style-type: none"> • Self-assurance/continuous improvement activities relating to academic quality • Maintaining and monitoring effective academic policies and procedures • Communicate changes and their impacts relating to any training and assessment standard or ASQA material
College Director	<p>Ensure evidence of compliance is maintained by each Department within their remit</p>

Manager, Awards and Programs	<p>Coordinate the following activities and maintain appropriate records:</p> <ul style="list-style-type: none"> • Scope of Registration changes including addition, amendment and deletion • ASQA Requests for Information • Minor updates to registration details (i.e. enquiries, email, phone) • Submission of changes to scope of registration to ASQANet on behalf of the Student Experience Lead
Director, Governance	Coordinate the compilation of the ASQA Fit and Proper Person Declarations for Board members upon initial appointment and in preparation for a registration renewal application
International Student Operations	Coordinate and maintain appropriate records for the registration of recruitment agents as third parties in ASQANet
Manager, Surveys and Data	<p>Conduct VET Student Experience Survey (VSES) and Employer Experience Survey (EES) once a year and provide a report to the CEO to submit to ASQA</p> <p>Submit AVETMISS data once approved</p>
All staff	<p>Notify any identified or suspected Reportable Occurrence that has or may occur to the Executive Branch Manager, Audit, Risk and Corporate Governance and/or the relevant Accountable Executive immediately.</p> <p>Contribute to and understand compliance to relevant Standards and sub-clauses</p> <p>Monitoring compliance and reporting instances of non-compliance</p>

3.2. Material Change Notifications

- Material Change Notifications (MCNS) must be reported to ASQA as soon as practicable, and within no more than ninety (90) days of the event(s).
- MCNs must be submitted to ASQA using ASQANet portal
- MCNs must be approved via brief by the Chief Executive Officer
- MCNs must be accompanied by a CEO Declaration
- MCNs must be accompanied by all documentation as identified by ASQA. These are outlined in Schedule 1.

3.3. Reportable Occurrence

- A staff member who identifies or supposes that a reportable occurrence has or may occur must immediately report to the occurrence to the Executive Branch Manager, Audit, Risk and Corporate Governance and/or the Accountable Executive.
- If the Executive Branch Manager, Audit, Risk and Corporate Governance determines that a MCN is required in accordance with ASQA requirements, they will coordinate a draft MCN with the designated subject matter.
- Reportable occurrence(s) include:
 - Any changes to business ownership, financial status, legal name or type of legal entity;
 - Change of Chief Executive Officer (CEO), Principal Executive Officer (PEO);
 - Change of Corporate address/location change;

- Events that would affect the fit and proper status of Council members or key senior staff e.g. Party to a civil or criminal action before court or proceedings before a professionally registration/licensing body or subject of an inquiry or investigation of a government department, regulatory body or former employer that could reasonably raise an expectation of interference with public duties;
- Changes that may impact on financial viability such as significant changes to the provider's existing, new or anticipated revenue sources or the appointment of an external administrator, liquidator or receiver;
- New arrangements to deliver a course of study in whole, or in part, through a third party (onshore or offshore)
- Significant issues arising from a third part arrangement or arrangements such as failures of the control and reporting systems in place to monitor third party delivery or failures on the part of the third party to ensure that course delivery meets relevant regulatory requirements;
- Any events that may have a significant impact on students, including:
 - Addition or removal of training products;
 - Changes in course delivery sites including new delivery sites;
 - A change or lapse in professional accreditation status of a course;
 - Any other significant incidents that happen or are likely to happen that would significantly affect CIT's ability to comply with regulatory requirements.

3.4. Fit and Proper Person Checks

- a) Board Members and senior Executive members must notify any declarable events that occur between annual declarations to the Executive Branch Manager, Audit, Risk and Corporate Governance.
- b) Any changes to the CIT Board and senior Executive members must result in either the addition or deletion of a Fit and Proper Person via ASQANet as soon as practicable.
- c) The Executive Branch Manager, Audit, Risk and Corporate Governance will review the event details and submit notification to ASQANet if required.

3.5. Annual Declaration on Compliance

- a) The Executive Branch Manager, Audit, Risk and Corporate Governance will ensure that processes are in place for the Annual Declaration on Compliance to be submitted to ASQA by 31 March each year and to maintain records of such declarations.
- b) The CEO will approve the final annual declaration for submission to ASQA.

3.6. ASQA Quality Indicators

- a) The Manager, Surveys and Data will ensure that processes are in place to conduct the VET Student Engagement Survey (VSES) and Employer Satisfaction Survey (ESS) to meet requirements of the [National Vocational Education and Training Regulator \(Data Provision Requirements\) Instrument 2020](#)
- b) The Manager, Surveys and Data will organise the data from the VSES and ESS to be summarised and submitted to ASQA by 30 June each year for the previous calendar year.

3.7. Accountable Executives

- a) The CEO will nominate and approve Accountable Executives (i.e. principal executive officers (PEOs) or principal contacts) for ASQA, including for CRICOS.
- b) Appointments and changes will be notified in accordance with ASQA requirements.
- c) A declaration by the Accountable Executive must be made to ASQA at the time of appointment and subsequently when submitting applications.

3.8. ASQA Requests for Information and Assessments

- a) The Executive Branch Manager, Audit, Risk and Corporate Governance will ensure that processes are in place to collate information and prepare responses to audits and compliance assessments.
- b) The Executive Director, Education Futures and Students will ensure that processes are in place to collate information and prepare responses to requests for information.
- c) Audit, Risk and Corporate Governance will provide support regarding submission of MCNs and responses to regulator requests for information, compliance assessments and audits.
- d) Responses to regulators must be approved by the CEO prior to submission via a CIT briefing
- e) Accountable Executives will ensure that Governance Committees are informed of MCNs, requests for information, compliance assessments, audits and any outcomes.

3.9. Education and Training Needs

- a) Training on the legislation and regulatory compliance obligations will be provided to all staff.
- b) Intensive training on specific obligations for individual roles will be provided during on-boarding by the appropriate business area director or manager.
- c) Opportunities for staff to improve their understanding will be explored between the staff member and the line manager.

3.10. Controls

- a) All compliance obligations will be recorded on the Compliance Obligations Register, held by Audit, Risk and Corporate Governance, and local Compliance Obligations Registers held by relevant teams.
- b) Annual reporting required by the CIT Compliance Framework will be completed by operational areas and managed by Audit, Risk and Corporate Governance.

3.11. Evidence

- a) All compliance with RTO obligations must be demonstrated with sufficient documentary evidence which may include (but is not limited to):
 - Committee minutes
 - Signed statutory declaration
 - Signed briefing
 - Completed ASQA form
- b) All evidence must be stored in TRIM as per the CIT Records Management Policy.

3.12. Communication

- a) The Executive Branch Manager, Audit, Risk and Corporate Governance will communicate changes to the Standards or ASQA materials to the relevant business areas.
- b) The Senior Education leader will communicate changes and their impacts relating to any assessment and training standard or ASQA material to all educators and other relevant staff.
- c) All changes will also be communicated via the CIT Newsfeed.

3.13. Notification of a Breach

- a) Where an incident of non-compliance with a practice or procedure is identified, the breach must be reported to the relevant Compliance Officer within the business area.
- b) The notification must include date of identification, description of the breach, and rectification actions.
- c) Where there are multiple breaches identified relating to a program, an audit will be enacted to determine if the program should be permitted to continue and the impact on students.
- d) Non-compliance with a Standard or Sub-Clause must be reported to the Executive Branch Manager, Audit, Risk and Corporate Governance for consideration under the Compliance Framework.

Schedule 1

Type of Material Change Notification	Documentation Required for ASQANet
New executive officer/high managerial agent	<ul style="list-style-type: none"> • Fit and proper person declaration • Organisation chart • Full ASIC report listing all details of the company
Change to legal name but not legal entity	<ul style="list-style-type: none"> • Fit and proper person declaration • Organisation chart <p>Full ASIC report listing all details of the company</p>
Change to legal entity which has registration	Nil
Change in ownership and/or control (including sale of business)	<ul style="list-style-type: none"> • Chief Executive Statutory Declaration • Fit and proper person declaration • Full ASIC report listing all details of the company • Organisation chart
Change to financial administration status, for example, bankruptcy or liquidation	Nil
Other significant event	Nil
Remove executive officer/high managerial agent	Nil