

What has changed and why?	Reference
Improving readability	
<p>Personal pronouns</p> <p>We've used personal pronouns to make the contract easier to read. This means instead of talking about 'the Training Provider' in third person, we now talk to 'you' directly. We've also replaced 'the Department' with 'we' or 'our'. This removes repetition, simplifies clauses and makes them plainer English.</p> <p>These edits don't change any contract requirements, so we haven't listed them individually in our Guide to Edits.</p>	N/A
<p>Making the Evidence of Eligibility and Student Declaration form easier for you and students</p> <p>We've listened to your feedback and simplified the Student Declaration section of the Evidence of Eligibility and Student Declaration form to make it easier for students to understand.</p> <p>It now asks students for less information and uses simpler language. We removed questions that asked separately about 'qualifications', 'skill sets' and 'foundation skills' and replaced them with simpler general questions about the 'courses' they've previously done and what they're planning to do.</p> <p>This means that at times, you might need to get information to assess eligibility in other ways, For example:</p> <ul style="list-style-type: none"> • instead of using the form to ask questions about education history, you could find out whether a student doing foundation skills holds a AQF 5 qualification (diploma) or higher from their answer to the mandatory enrolment question about the highest qualification they hold, or as part of the pre-training review • if they've done or are planning to do more training in 2024, you might ask for some additional details to check they're within the '2 in a year' and '2 at time' limits. For example, checking if a program they're doing started before 2024. <p>Remember you don't have to use the form that we provide. As a minimum, your form must collect the same information as ours, but you can edit the wording or add extra questions.</p> <p>We also changed the training provider declaration to a checklist-style format to help you confirm that you've assessed all the required information to decide each student's eligibility. You should make sure your form checks each of these points.</p> <p>To make it easier if you do want to use our form, we moved the TAFE/Dual Sector-specific questions onto a separate page so that if you're a non-TAFE training provider it reduces the need to customise your form.</p>	Attachment 1 (Section B and C) of the Guidelines About Eligibility

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Streamlining requirements											
<p>Simplifying Evidence of Participation (EOP)</p> <p>We've made some changes to simplify our EOP requirements. In summary the new EOP requirements are:</p> <table border="1" data-bbox="114 384 1733 986"> <thead> <tr> <th data-bbox="114 384 602 458">If the subject is:</th> <th data-bbox="602 384 1733 458">you're required to document and provide:</th> </tr> </thead> <tbody> <tr> <td data-bbox="114 458 602 536">30 days or fewer</td> <td data-bbox="602 458 1733 536">one item of EOP, using any of the accepted items</td> </tr> <tr> <td data-bbox="114 536 602 778">more than 30 days</td> <td data-bbox="602 536 1733 778"> two items of EOP, where: <ul style="list-style-type: none"> • the first must be in the 30 days after the activity start date, and • the second must be evidence showing the student completed the assessment for the subject and received a result (or results if several assessment tasks) of 'satisfactory'/'unsatisfactory' or 'competent'/'not yet competent' </td> </tr> <tr> <td data-bbox="114 778 602 884">withdrawn (regardless of the length of the subject)</td> <td data-bbox="602 778 1733 884">one item of EOP</td> </tr> <tr> <td data-bbox="114 884 602 986">RPL (regardless of the length of the subject)</td> <td data-bbox="602 884 1733 986">one item of EOP which must be the assessment tool used</td> </tr> </tbody> </table> <p><u>Subjects that are 30 days or fewer</u></p> <p>We haven't changed the requirement to keep one item of EOP for subjects that are 30 days or fewer.</p> <p><u>Subjects of more than 30 days</u></p> <p>You now don't need to keep your second item in the 30 days before the Activity End Date.</p> <p>Instead, your second item must be evidence of assessment, showing the student completed their assessment task or tasks for the subject. And your first item of EOP can be any of the accepted types, except for evidence of assessment.</p>	If the subject is:	you're required to document and provide:	30 days or fewer	one item of EOP, using any of the accepted items	more than 30 days	two items of EOP, where: <ul style="list-style-type: none"> • the first must be in the 30 days after the activity start date, and • the second must be evidence showing the student completed the assessment for the subject and received a result (or results if several assessment tasks) of 'satisfactory'/'unsatisfactory' or 'competent'/'not yet competent' 	withdrawn (regardless of the length of the subject)	one item of EOP	RPL (regardless of the length of the subject)	one item of EOP which must be the assessment tool used	<p>Clauses 9.1, 9.5, and 9.7(d) of Schedule 1</p>
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<p><u>Evidence of assessment</u></p> <p>The evidence of assessment item must show the student has completed their assessment for the subject – not just an interim assessment. For example, if you have 3 assessment tasks for a subject, you can use a single record that shows the result for each one (such as ‘satisfactory/unsatisfactory’) as the evidence of assessment – examples include an assessment summary sheet, or a grade history record in a Learning Management System (LMS), and a completed assessment tool coversheet.</p> <p>Your evidence doesn’t necessarily have to show a final result of ‘competent/not competent’ for the subject. For example, if you have a separate administrative process to record this after a practical placement or employer sign-off for an apprentice or trainee. But at a minimum, your evidence must identify the student, the subject, the result of the assessment tasks, the date, and the signature of the person who made the assessment. A signature can be an electronic action equivalent to a signature, such as logging into an LMS to record assessment results.</p> <p><u>Withdrawn subjects</u></p> <p>You now only need to keep one item of EOP for withdrawn subjects. You can use any of the accepted items of EOP, except evidence of assessment as it won’t apply for a subject the student didn’t finish.</p> <p>You’ll also need to update the Activity End date to reflect the date of withdrawal which is:</p> <ul style="list-style-type: none"> • the date the student notifies you, or • if you can’t contact them, the date you decide they withdrew (stopped participating). <p>You still need to report the hours attended (along with the full scheduled hours) for a withdrawn subject, and you should still keep records of your attempts to contact and re-engage students who stop participating without formally withdrawing.</p> <p><u>RPL subjects</u></p> <p>For RPL subjects we’ve clarified that you need to keep one item of EOP, regardless of the reported length of the subject, and it must be the assessment tool used for any skills recognition assessment.</p> <p><u>How we’ll apply the new requirements from 2024</u></p> <p>The new requirements apply to subjects commencing in 2024.</p> <p>The previous requirements will continue to apply for subjects that commenced before 2024 and are continuing in 2024. However, given the requirements remain similar, we will allow for flexibility if you require it in some cases.</p>	

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<p>Training plans for non-apprentice/trainee students</p> <p>You no longer have to include the scheduled hours for each subject in the training plan for non-apprentice/trainee students. This is because it isn't the most useful information for students about the duration or intensity of their training, especially if some subjects are delivered in a cluster. You can still include the scheduled hours in training plans if you want to, but it's not mandatory for students who are not apprentices or trainees.</p>	n/a
<p>Removing specific requirements for online training and assessment</p> <p>For online training and assessment, you no longer have to:</p> <ul style="list-style-type: none"> publish online service standards on your website include extra information in your Training and Assessment Strategy for programs that include online delivery, such as the method for engaging students and monitoring their progress, and validating online assessment tools. <p>This is because we have the same expectations about student engagement and quality training delivery regardless of the delivery mode. You should still make sure you communicate your customer service standards to students and you tailor your training appropriately for the delivery mode.</p> <p>We've also removed the definition of 'Online Training and Assessment' as it's no longer needed.</p>	n/a
Accountabilities	
<p>The Fair Jobs Code</p> <p>We updated the Standard and Dual Sector contracts because these training providers, as businesses that contract with the Victorian Government, must comply with the Fair Jobs Code including:</p> <ul style="list-style-type: none"> hold a Fair Jobs Code Pre-Assessment Certificate and (if applicable to you) a Fair Jobs Code Plan notify us via SVTS if their Fair Jobs Code Pre-Assessment Certificate is revoked or lapses. <p>You'll need to prepare a Fair Jobs Plan if you are paid \$20 million (excl. GST) or more under your contract. The Fair Jobs Code Plan seeks to demonstrate how you will deliver on the Code Standards. Because we don't pay you upfront, once you have reached payments of \$15 million, we'll contact you individually about your requirement to submit a Fair Jobs Code Plan.</p>	<p>Clauses 1.1 and 4.1(f)</p> <p>Clause 7.9 of the Standard contract and 7.8 of the Dual Sector contract</p>

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<p>Protecting student’s personal information</p> <p>We’ve included some new obligations in the contract, the Guidelines About Eligibility and the Guidelines About Fees to help you to protect students’ personal information from potential data breach and identity theft.</p> <p><u>Dispose of records with personal information when you can</u></p> <p>You must have a process for promptly disposing of records that include personal information when you no longer have a reason to keep them including once the requirement to keep them under the contract or any other regulation or law ceases.</p> <p><u>Don’t retain copies of evidence of eligibility if a student objects</u></p> <p>If for privacy reasons, a student doesn’t want you to retain their evidence of eligibility, you must instead retain a written declaration and attach it to the student’s file. This declaration must state that you sighted the evidence, and include the name of the authorised delegate, the date they sighted the evidence, the student’s name, and the type of evidence sighted.</p> <p><u>Don’t keep a student’s CRN</u></p> <p>You now must not retain copies of a student’s evidence of concession or the concession holder’s Customer Reference Number (CRN). This is because a CRN can’t be changed if it is subject to a security breach, unlike other forms of identity evidence where a new card or document number can be issued.</p> <p>When you sight a student’s original concession card, a letter confirming a concession entitlement, or a digital concession card (via the Centrelink Express App) you must keep a written declaration attached to the student’s file stating that you’ve sighted the evidence of concession. This must include the name of the authorised delegate, the date they sighted the evidence, the concession holder’s name, and the card type.</p> <p>If you’re sighting the card through the DVS or Centrelink Confirmation eServices, continue to keep a transaction record in the same way you do now.</p>	<p>Clause 10.9</p> <p>Clause 2.6 of the Guidelines About Eligibility</p> <p>Clause 3.10 and 3.11 of the Guidelines About Fees</p>

What has changed and why?	Reference
Reducing administrative burden	
<p>Checking concession entitlement</p> <p>We've changed how you check a student's fee concession entitlement to make it fairer for students and easier for you.</p> <p><u>Concession applies to all tuition fees for the program</u></p> <p>When you confirm a student's concession as part of enrolment you must apply the concession to all tuition fees for the program. This applies whether you charge all tuition fees upfront, or you charge in parts (for example, by subject or semester). It also doesn't matter if the entitlement expires before training starts, or before they've finished their program.</p> <p>This means that even if you do charge your fees in parts, you don't have to keep re-checking entitlement – one check at the start of the program is all that is required. This makes it simpler and easier for you and the student.</p> <p><u>Students can get a concession if they become eligible later</u></p> <p>Students who get a new concession entitlement after their training starts can bring it to you and you must give them the concession rate for any fees you haven't charged them yet. This means if you don't charge all your fees upfront you must tell students they have this opportunity to get a fee concession later.</p> <p><u>Grace period for checking concession</u></p> <p>Under the new arrangements, you can still apply a grace period in the same way if a student doesn't immediately provide evidence of concession as part of enrolment. You should always try to verify a student's concession before training starts. But, if they can't show you their concession by then, you can give them a grace period to show you the evidence later. For example, within a week or a month. If you do provide a grace period, you need to confirm that the concession was current on or before the date training started. You also need a business process for how you apply a grace period.</p>	<p>Clauses 3.1-3.9 of the Guidelines About Fees</p>
Clarifying existing requirements	
<p>Definition of a Material Breach</p> <p>We've made the definition of 'Material Breach' clearer about what we consider to be a material breach. This includes:</p> <ul style="list-style-type: none"> • updating the list of clauses that are deemed to be a 'material breach' • a clarification that we only mean non-trivial breaches of the listed clauses • an explanation that serious breaches of other clauses (not on the list) can also be considered a material breach if it has a significant impact on your ability to deliver under the contract or has a significant impact on students. 	<p>Clause 1.1</p>

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<p>Change in control</p> <p>We've changed the clauses on change in control so they more clearly describe our right to object to a change in control at your organisation. You must continue to tell us of a change in control. But we've clarified that we can still object to a change in control if we find out about it some other way. We can terminate your contract if you go ahead with a change in control after we've told you we object to it.</p>	<p>Clauses 7.4 and 17.4(g)</p>
<p>Final date for submitting your student statistical reports</p> <p>The deadline for submitting your final student statistical reports for the data collection year is typically 5pm on 15 January in the following year. But 15 January won't always fall on a convenient day. To account for this, we've added a new general definition of 'Final Data Submission Date', which clarifies that we'll notify you via SVTS of the exact deadline for each data collection year.</p>	<p>Clause 1.1 Clauses 10.2, 10.7, 11.15 and 11.16 of Schedule 1</p>
<p>Requirements about your place of business</p> <p>We've clarified our arrangements for contracting with Non-Victorian training providers. We'll contract with training providers who don't have a principal place of business in Victoria if they maintain a commercial property in Victoria from which they deliver training. We'll then set any other conditions for non-Victorian training providers at the time of offering a new contract. Ceasing to maintain a principal place of business in Victoria (if you're a Victorian training provider) is now included as one of the examples of important changes to your operations that you must notify us about.</p>	<p>Clauses 4.1(b) and 7.6</p>
Updated initiatives and programs	
<p>Literacy and Numeracy Support</p> <p>From 2024, only TAFE and Dual Sector Universities can access the Literacy and Numeracy Support program. This is because the program was not being used by non-TAFE training providers. The Standard contract no longer refers to this program.</p>	<p>n/a</p>

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Administrative changes	
<p>We've made a number of small administrative changes to:</p> <ul style="list-style-type: none"> • update the duration of the contract • correct any typographical errors • reduce repetition and re-word for clarity • update terminology, including to reflect the Machinery of Government change in January 2023 that moved the Training, Skills and Higher Education business area (now called Skills and Employment) from the Department of Education to the Department of Jobs, Skills, Industry and Regions. <p>Refer to the 'Guide to edits – Contract' and 'Guide to edits – Guidelines' documents for more details.</p>	<p>Clauses 1.1, 2.1, 4.8. 4.9, 10.12. 12.2, 19.2</p> <p>and</p> <p>2.2, 4.3, 4.12, 11.2, 11.5, 11.7, 11.12, 11.18 of Schedule 1</p> <p>All Guidelines</p>