

2023 Guidelines About Eligibility

Skills First Program

Department of Education and Training

PURPOSE

These Guidelines describe the Skills First eligibility requirements the Training Provider must apply in assessing and evidencing a student's Skills First Entitlement.

The Training Provider must have a clear and documented business process for determining a student's eligibility, as required by the VET Funding Contract (the Contract). This business process must include the collection of supporting evidence.

These Guidelines apply to all enrolments in Skills First subsidised training and must be read in conjunction with the Contract.

1. DETERMINING ELIGIBILITY FOR THE SKILLS FIRST PROGRAM

1.1 The Training Provider must assess a student's eligibility against the requirements outlined in this Section 1.

Citizenship/residency

1.2 A student must be either:

- a) an Australian citizen;
- b) a holder of a permanent visa; or
- c) a New Zealand citizen,

as evidenced by one of the documents described in the Evidence of Eligibility and Student Declaration form at **Attachment 1** to these Guidelines.

The '2 Skill Sets in a year' and '2 AQF qualifications in a year' limits

1.3 In a calendar year, a student may only commence a maximum of two:

- a) Skills First subsidised Skill Sets; and
- b) Skills First subsidised programs that are AQF qualifications.

1.4 The following scenarios are not counted when determining if a student meets these limits:

- a) transitioning from a superseded program to the current version of the same program;
- b) recommencing training in the same program (at either the same or a different provider);
- c) enrolling in an Apprenticeship (not Traineeship) after having participated in one of the programs identified as a 'Pre-Apprenticeship and Pathway Program' on the Funded Programs Report; or
- d) participation in '22510VIC – Course in Identifying and Responding to Family Violence Risk'.

The '2 at a time' limit

1.5 A student may only commence a maximum of two Skills First subsidised programs at any one time.

1.6 Participation in the '22510VIC – Course in Identifying and Responding to Family Violence Risk' will not be counted when determining if a student meets this limit.

Eligibility for Foundation Skills programs

1.7 A student is not eligible for a Foundation Skills Program if they:

- a) hold an AQF qualification issued by an Australian VET or higher education provider that is at AQF level 5 (Diploma) or higher.
- b) are enrolled in the Commonwealth Government's 'Skills for Education and Employment' program.

Eligibility exemptions

1.8 The Training Provider may only exempt a student from the eligibility requirements in accordance with Part C of Schedule 1 of the Contract. The Training Provider must sight and retain evidence of a student's eligibility to receive an exemption as specified in Part C of Schedule 1 of the Contract.

2. SIGHTING AND RETAINING EVIDENCE OF ELIGIBILITY

Completing the Evidence of Eligibility and Student Declaration form

- 2.1 Eligibility assessment processes must involve informative discussions with applicants, as well as comprehensive assessments of the circumstances against the eligibility requirements of the Contract, including any variations to that Contract.
- 2.2 Prior to the commencement of training, for each student who is assessed to be eligible, the Training Provider must complete the information and declarations in the Evidence of Eligibility and Student Declaration form at **Attachment 1** to these Guidelines.
- 2.3 The Evidence of Eligibility and Student Declaration form must be completed by an authorised delegate of the Training Provider, which is defined as:
- an employee/s of the Training Provider who has been formally delegated this function from the CEO or equivalent and written evidence of such a delegation is available at audit, or
 - a duly authorised agent of the Training Provider, and a legally binding agreement between the Training Provider and the agent is in place and available at audit.
- 2.4 The Training Provider must make available to the Department for audit or review purposes the completed Evidence of Eligibility and Student Declaration form and any of the evidence that is sighted and retained in relation to any individual student.
- 2.5 The evidence of eligibility specified in the Evidence of Eligibility and Student Declaration form must be sighted and retained by:

	Sighting:	Retaining:
a)	a hard copy original.	a photocopy or electronic copy of the hard copy original.
OR		
b)	a certified photocopy (not in electronic form) of the hard copy original. <i>(refer to Attachment 2 for information about document certification)</i>	a photocopy or electronic copy of the certified copy, or the original certified copy.
OR		
c)	confirmation from a Gateway Service Provider ¹ that it has connected to the Commonwealth Government's Document Verification Service (the DVS) ² and verified that an individual's name, (where applicable) date of birth and document number match a current and valid record in the DVS.	a transaction record generated by securely logging in to the administrative platform provided by the Gateway Service Provider, that shows; <ul style="list-style-type: none"> • the individual's name and (where applicable) date of birth; • the type of document that was checked; and • that their name, date of birth and document number were verified to match a valid and current document in the DVS.
OR		

¹ A Gateway Service Provider is an organisation authorised to direct information match requests to and from the Commonwealth Government's Document Verification Service (the DVS).

² The DVS is a national online system that allows organisations to compare an individual's identifying information with a government record.

d)	a digital green Medicare card displayed on a Digital Wallet through Express Plus Medicare mobile application on the cardholder's mobile device. The digital card may not be sighted via a screen shot of the card that is e-mailed or otherwise reproduced.	a written declaration attached to the student's file stating that the digital green Medicare card has been sighted. The declaration must include the: <ul style="list-style-type: none"> • name of the authorised delegate who sighted the card; • date the card was sighted; • document number of the card; and • name of the card holder.
OR		
e)	a record from the Visa Entitlement Verification Online (VEVO) system generated by the individual; and an original or certified copy of their foreign passport or ImmiCard that matches the name, date of birth and document number shown in the VEVO record.	a copy of the VEVO record that includes: <ul style="list-style-type: none"> • Department of Home Affairs logo; • the individual's name and date of birth; • document number of the individual's foreign passport or Immicard; and • confirmation the individual holds a permanent visa and a copy of the original - or certified copy of the individual's foreign passport or ImmiCard
OR		
f)	A record from VEVO generated by the Training Provider (if the Training Provider is registered with the Department of Home Affairs to access the VEVO system and has permission from the student to check their visa status)	a transaction record from VEVO that shows: <ul style="list-style-type: none"> • the individual's name, date of birth and document number of their foreign passport or Immicard were verified to match a record in the VEVO system; and • they hold a permanent visa.

Electronic completion of the Evidence of Eligibility and Student Declaration form

- 2.6 If the Training Provider completes, and has students complete, the Evidence of Eligibility and Student Declaration form electronically, it must ensure:
- a) that the information collected is exactly the same as that which would have been collected in hard copy; and
 - b) an electronic action equivalent to a signature is undertaken in any instance where a signature is required on the form.
- 2.7 If the Training Provider engages a Gateway Service Provider to access the DVS as part of obtaining and assessing evidence of eligibility and the DVS is unable to verify an individual's document, then the Training Provider must offer that individual the opportunity to provide their evidence of eligibility in an alternative format, prior to making an assessment of that individual's eligibility.

Relying on information obtained about a student for a subsequent enrolment

- 2.8 If the Training Provider has sighted and retained evidence of a student's citizenship (in accordance with the requirements of the Evidence of Eligibility and Student Declaration form), it may use this evidence for any subsequent enrolments by that student, with only that Training Provider, provided that:
- a) the evidence, if verified by any means other than through the DVS, has not expired when a subsequent enrolment occurs;

- b) the evidence, if verified through the DVS without retaining an expiry date, is only used for subsequent enrolments that occur within the same calendar year as the DVS check;
- c) the evidence continues to be retained for audit, review or investigation purposes; and
- d) the Training Provider makes all other assessments of the student's Skills First Entitlement for each subsequent enrolment.

Additional evidence to be sighted and retained for students under 17 years of age

2.9 Prior to enrolling a student who will be under 17 years of age at the time their training commences, the Training Provider must sight and retain evidence the student has been granted an exemption from school attendance as follows:

	If the student:	The Training Provider must sight and retain:	And ensure that it:
a)	has completed year 10	a copy of the signed and completed endorsement page from the 'Exemption From School Application Form'; OR correspondence or a certificate signed by the School Principal or a Department Regional Director.	identifies the Training Provider and the training to be undertaken; OR identifies the relevant employer if the student is to undertake an Apprenticeship / Traineeship.
b)	has not completed year 10	correspondence or a certificate signed by the Department Regional Director.	
c)	is not currently, or has never been, enrolled in a Victorian School (for example, students enrolled in home schooling, or students who have moved to Victoria from interstate or overseas)	correspondence or a certificate signed by the Department Regional Director.	

2.10 An exemption from school attendance is granted on the basis that the student will undertake a specific program at a specific training provider, as identified in the exemption.

If the student is still under 17 years of age and wishes to enrol in a different program or enrol at a different training provider to what is identified in their exemption, the approver of the exemption must confirm that the proposed change is permitted. The Training Provider must sight and retain this confirmation prior to enrolling the student in a different program, or prior to enrolling the student if they are not the training provider referred to in the original exemption.

Proxy declarations for students in exceptional circumstances

- 2.11 In exceptional circumstances, where a student is unable to provide any of the evidence documents specified in the Evidence of Eligibility and Student Declaration form, the Department may accept a proxy declaration, in the form of a signed declaration by the CEO of the Training Provider or of a relevant government or community service provider attesting to the student's citizenship/residency.
- 2.12 The Training Provider must make all reasonable efforts to help a student demonstrate their citizenship/residency through providing one of the accepted evidence documents and a proxy declaration can only be used in exceptional and specific circumstances.
- 2.13 Proxy declarations will not be accepted where a student has simply been reluctant to incur the cost or inconvenience of obtaining relevant evidence documents.

- 2.14 The Training Provider must present a robust case to the Department for approval (via the enquiry function of the Skills Victoria Training System (SVTS)) for the proposed use of a proxy declaration.
- 2.15 If approval is received, the Training Provider must keep a copy of the proxy declaration and the Department's SVTS enquiry response for audit or review purposes.

ATTACHMENT 1 - SKILLS FIRST PROGRAM - EVIDENCE OF ELIGIBILITY AND STUDENT DECLARATION FORM**SECTION A – EVIDENCE OF CITIZENSHIP/RESIDENCY****TO BE COMPLETED BY AN AUTHORISED DELEGATE OF THE TRAINING PROVIDER – DON'T LEAVE ANY SECTIONS BLANK****I confirm that for:**

(student's full name):

I have sighted **ONE** of the following:

- | | |
|---|--|
| <input type="checkbox"/> Australian Birth Certificate (not Birth Extract) | <input type="checkbox"/> Current Australian Passport |
| <input type="checkbox"/> Current New Zealand Passport | <input type="checkbox"/> Australian Citizenship Certificate |
| <input type="checkbox"/> Current green Medicare card | <input type="checkbox"/> Australian Certificate of Registration by Descent |
| <input type="checkbox"/> New Zealand Birth Certificate | <input type="checkbox"/> New Zealand Citizenship Certificate |
| <input type="checkbox"/> A proxy declaration for individuals in exceptional circumstances as per Clauses 2.11 – 2.15 of the Guidelines About Eligibility (the Eligibility Guidelines) | <input type="checkbox"/> Formal confirmation of permanent residence granted by the Department of Home Affairs (or its successor) AND the student's foreign passport or ImmiCard. |
| <input type="checkbox"/> a Referral to Government Subsidised Training - Asylum Seekers' form from the Asylum Seeker Resource Centre or the Australian Red Cross | <input type="checkbox"/> Confirmation obtained from the Visa Entitlement Verification Online System (VEVO) that the student holds a valid Bridging visa class E, Safe Haven Enterprise visa, Temporary Protection visa, Bridging visa class F, Humanitarian Stay (Temporary) (subclass 449) visa, or Temporary (Humanitarian Concern) (subclass 786) visa. |

By Either:

- viewing an original; OR
- viewing a certified copy; OR
- verifying through the Document Verification Service (DVS) [where it is possible to do so, and in accordance with Clause 2.5(c) of the Eligibility Guidelines]; OR
- viewing a digital green Medicare card on a Digital Wallet app on the card holder's mobile device [in accordance with Clause 2.5(d) of the Eligibility Guidelines]; OR
- relying on evidence sighted and retained as part of a previous enrolment [in accordance with Clause 2.8 of the Eligibility Guidelines] OR
- viewing a printed or electronic record from VEVO that confirms a student holds valid Bridging visa class E, Safe Haven Enterprise visa, Temporary Protection visa, Bridging visa class F, Humanitarian Stay (Temporary) (subclass 449) visa, or Temporary (Humanitarian Concern) (subclass 786) visa.

And I have retained **ONE** of the following:

- a copy of the original or certified copy; OR
- the certified copy; OR
- evidence as set out in Clause 2.5(c) of the Eligibility Guidelines [where verified through the DVS]; OR
- declaration of sighting a digital green Medicare card [as set out in Clause 2.5(d) of the Eligibility Guidelines]; OR
- a printed or electronic copy of a record from VEVO that confirms the student holds a valid Bridging visa class E, Safe Haven Enterprise visa, Temporary Protection visa Bridging visa class F, Humanitarian Stay (Temporary) (subclass 449) visa, or Temporary (Humanitarian Concern) (subclass 786) visa.

SECTION B1 – ENROLMENT IN A QUALIFICATION AND/OR SKILL SET

TO BE COMPLETED BY THE STUDENT – DON'T LEAVE ANY SECTION BLANK UNLESS YOU ARE ASKED TO SKIP A QUESTION OR GO TO THE DECLARATION – PLEASE ASK THE TRAINING PROVIDER FOR HELP IF YOU DON'T UNDERSTAND A QUESTION

A '**skill set**' means a course with the title 'Course in...' or a single subject, or small group of subjects (for example 'Course in Family Violence').

A '**qualification**' means a course that has 'Certificate' or 'Diploma' in the title (for example, 'Certificate III in Business', 'Diploma of Nursing').

Q1 If you are enrolling in a qualification, how many other **Skills First funded qualifications** have you enrolled in that have started, or will start in the **same calendar year** as the qualification/s you are applying for now?

Don't include the qualification/s or skill sets you are applying for now.

Do include other qualification/s or skill sets you've enrolled in at this or another training provider, but haven't started yet.

N/A 0 1 2 3 4+ *(circle answer)*

Q2 If you are enrolling in skill set, how many other **Skills First funded** skill sets have you enrolled in that have started, or will start in the **same calendar year** as the skill set you are applying for now?

Don't include the skill set you are applying for now.

Do include other skill set/s you've enrolled in at this or another training provider, but haven't started yet.

N/A 0 1 2 3 4+ *(circle answer)*

Q3 Not including the qualification or skill set/s you are applying for now, how many other **Skills First funded** qualifications and/or skill sets are you doing at the moment?

0 1 2 3 4+ *(circle answer)*

Q4 If you are enrolling in a Foundation Skills program, do you have a qualification at a Diploma level or higher?

N/A Yes No *(circle answer)*

[FOR TAFE/DUAL SECTOR ENROLMENT ONLY – delete Q5 – Q9 if not required]

Q5 If you are applying for a qualification on the 'Free TAFE for Priority Courses List', do you want to access your Fee Waiver for this qualification? **Note:** You can only receive a Fee Waiver for **one qualification** on this list unless you're eligible to do a further qualification(s) as part of a Free TAFE pathway.

YES NO N/A *(circle answer)* *(If 'NO', or 'not applicable' go to Student Declaration)*

Q6 If you answered '**YES**' to Q5, have you already received a Fee Waiver for **this qualification** or for **any other qualification** on the 'Free TAFE for Priority Courses List'?

YES NO *(circle answer)* *(If 'NO', go to Student Declaration)*

Q7 If you answered '**YES**' to Q6, are you applying to recommence in the same qualification for which you previously received a Fee Waiver?

YES NO *(circle answer)* *(If 'YES' go to Student Declaration)*

Q8 If you answered '**NO**' to Q7, did you receive the Fee Waiver for a qualification under the **JobTrainer** initiative?

YES NO *(circle answer)*

Q9 For which qualification(s) have you already received a Fee Waiver?

SECTION B2–STUDENT DECLARATION**STUDENT DECLARATION**

I, (print your full name):

In seeking to enrol in (write the code and full title of the qualification/s or skill set/s):

Declare the following to be true and accurate statements:

- I **AM / AM NOT** enrolled in a school, including government, non-government, independent, Catholic or home school.
(circle the appropriate response)
- I **AM / AM NOT** enrolled in the Commonwealth Government's Skills for Education and Employment program.
(circle the appropriate response)
- I understand that my enrolment in the above qualification/s and/or skill set/s may be subsidised by the Victorian and Commonwealth Government under the Skills First Program. I understand how my enrolment will affect my future training options and eligibility for further training under the Skills First program.
- I acknowledge and understand that I may be contacted by the Department of Education and Training or an agent to participate in a survey, interview or other questionnaire.

SIGNED:

DATE:

SECTION C – TRAINING PROVIDER DECLARATION

TO BE COMPLETED BY THE TRAINING PROVIDER – DON'T LEAVE ANY SECTIONS BLANK

Based on:

- my discussion with the student
- the evidence I have sighted and retained in **Section A**
- the information provided to me by the student in **Section B**

I confirm that the student is: **[CHOOSE ONE]**

- eligible for Skills First funding for the program/s listed below
- not eligible for Skills First funding
- not eligible for Skills First funding, but I have granted an eligibility exemption for the program/s listed below.

(write the code and full title of the program/s in which the student is seeking to enrol)

I acknowledge that as the Training Provider's authorised delegate, I am responsible for ensuring that all parts of this form are complete. By signing this declaration, I acknowledge that I have reviewed **Sections A** and **B** and have confirmed they have been completed in full.

Authorised Training Provider delegate:

Name:

Position:

Signed

Date:

NOTES

Use this section to record additional detail, relevant eligibility information, including information you used to verify the student's eligibility that is not captured in Sections A or B.

If there are no notes, write N/A

ATTACHMENT 2

How to have a document certified

Bring both an original and a copy of the original to the certifier.

The certifier will:

1. examine the original to ensure it is not a copy or forgery
2. examine the copy to ensure it is identical to the original. A copy can be considered identical even if it is a different size or colour, so long as that does not result in the loss of any material information.

The certifier will then write or stamp the copy with the words: "Certified to be a true copy of the original seen by me." They will sign and date the copy, and write or stamp their name, personal or professional address and qualification.

If there are multiple pages to the copy, the certifier will sign or initial and number all pages.

The copy has now been certified.

Who can certify a document

Under Section 39 of the *Oaths and Affirmations Act 2018* (as of 1 March 2019) the list of persons who may certify copies of original documents includes:

- A person currently licensed or registered to practice in Australia as one of the following occupations:
 - Architect
 - Chiropractor
 - Conveyancer
 - Dentist
 - Financial adviser or financial planner
 - Legal practitioner
 - Medical practitioner
 - Midwife
 - Migration agent
 - Nurse
 - Occupational therapist
 - Optometrist
 - Patent attorney
 - Pharmacist
 - Physiotherapist
 - Psychologist
 - Trade marks attorney
 - Veterinary surgeon
- An accountant who meets at least one of the following criteria:
 - Fellow of the National Tax Accountants' Association
 - Member of Chartered Accountants Australia and New Zealand
 - Member of the Association of Taxation and Management Accountants
 - Member of CPA Australia
 - Member of the Institute of Public Accountants

- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- Australian Public Service employee engaged on an ongoing basis with 5 or more years of continuous service who is not otherwise authorised
- Australian Consular Officer or Australian Diplomatic Officer
- Bailiff
- Bank officer with 5 or more continuous years of service
- Building society officer with 5 or more years of continuous service
- Chief executive officer of a Commonwealth court
- Clerk of a court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer with 5 or more years of continuous service
- Employee of a Commonwealth authority engaged on a permanent basis with 5 or more years of continuous service who is not otherwise authorised
- Employee of the Australian Trade and Investment Commission who is authorised in writing by the Secretary of DFAT to collect fees under s 3(d) of the Consular Fees Act 1955, if at a place outside Australia and in the course of the employee's duties at that place
- Employee of the Commonwealth who is authorised in writing by the Secretary of DFAT to collect fees under s 3(d) of the Consular Fees Act 1955, if at a place outside Australia and in the course of the employee's duties at that place
- An engineer who meets at least one of the following criteria:
 - A member of Engineers Australia, other than a student
 - A Registered Professional Engineer of Professionals Australia
 - Registered as an engineer under a law of the Commonwealth or a State or Territory
 - Registered on the National Engineering Register by Engineers Australia
- Finance company officer with 5 or more years of continuous service
- Holder of a Commonwealth statutory office not otherwise specified
 - For example, Director of the Australian Institute of Family Studies
- IBAC Officers
- Judge
- Justice of the Peace
- Local government Councillor
- Magistrate
- Registered marriage celebrant
- Master of a court
- Member of the Australian Defence Force who meets at least one of the following criteria:
 - An officer
 - A non-commissioned officer with 5 or more years of continuous service
 - A warrant officer
- Member of the Australasian Institute of Mining and Metallurgy
- Member of the Governance Institute of Australia Ltd

- Member of the Parliament of a State
- Member of a Territory legislature
- Member of a local government authority
- Registered minister of religion
- Notary public, including a notary public exercising functions at a place outside either the Commonwealth or the external Territories of the Commonwealth
- Permanent employee of the Australian Postal Corporation with 5 or more years continuous service who is employed in an office providing postal services to the public
- Permanent employee with 5 or more years of continuous service who is not otherwise specified, if employed at one of the following:
 - State
 - Territory
 - State authority
 - Territory authority
 - Local government authority
- Police officer
- Police reservist
- Protective service officer (PSO)
- Registrar, or Deputy Registrar, of a court
- A school principal
- Senior executive employee of a Commonwealth authority
- Senior executive employee of a State or Territory
- Senior Executive Service employee of the Commonwealth
- Sheriff
- Sheriff's officer
- State Trustees officer or employee with a classification level of 2 or above
- Teacher employed on a permanent full-time or part-time basis at a school or tertiary education institution
- Transport Accident Commission officer or employee with a classification of level 2 or above
- VicRoads officer or employee with a classification of level 2 or above
- Victorian Inspectorate Officer
- A Victorian Public Service employee with a prescribed classification level of 2 or above
 - For example, a project officer employed as a VPS4 or an administrative assistant employed as a VPS2
- Victorian WorkCover Authority officer or employee with a classification of band 2 or above
- Any authorised affidavit taker, including:
 - A judicial officer
 - For example, a judge or magistrate
 - An associate to a judicial officer
 - An honorary justice
 - The prothonotary or a deputy prothonotary of the Supreme Court
 - The registrar of probates or an assistant registrar of probates

- The registrar or a deputy registrar of the County Court
- The principal registrar, a registrar or a deputy registrar of the Magistrates' Court
- The principal registrar, a registrar or a deputy registrar of the Children's Court
- The principal registrar, a registrar or a deputy registrar of VCAT
- The principal registrar or a registrar of the Coroners Court
- A member of VCAT
- A member or former member of either House of the Parliament of Victoria
- A member or former member of either House of the Parliament of the Commonwealth
- A public notary
- A senior officer of a Victorian municipal Council who meets one of the following criteria:
 - Chief Executive Officer
 - A member of Council staff with management responsibilities and reporting directly to the Chief Executive Officer
 - Any other member of Council staff earning a salary of at least \$124,000 (or a higher threshold, if specified by the Minister under s 97B of the Local Government Act 1989)
- A fellow of the Institute of Legal Executives (Victoria)
- A person acting judicially
 - For example, an arbitrator or any person or body with authority to hear, receive and examine evidence
- Any other officer or person empowered, authorised or permitted by or under any Act or rules of a court or rules of a tribunal to administer affidavits

Source: Department of Justice and Community Safety

Further information: <https://www.justice.vic.gov.au/certifiedcopies>