

Annual Report 2009–2010

Training and Employment Recognition Council



Tomorrow's Queensland:
strong, green, smart, healthy and fair

Toward 
Tomorrow's Queensland



**Training and Employment
Recognition Council**

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Group shot of Council Members (Absent: Kathleen Newcombe, Chris Rodwell and Chris Thiesfield)

Letter to Minister

September 2010

The Honourable Geoff Wilson MP
Minister for Education and Training
Level 22, 30 Mary Street
BRISBANE QLD 4000

Dear Minister

In accordance with section 190A of the *Vocational Education, Training and Employment Act 2000* I am pleased to present the 2009-2010 Training and Employment Recognition Council Annual Report.

I certify that this Annual Report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, and
- the detailed requirements set out in the *Annual Report Requirements for Queensland Government Agencies*.

I commend the report to you, the Parliament, members of the vocational education and training sector and the general community.

Yours sincerely



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Chair

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Mission

To encourage best quality vocational education and training for Queensland.

The Training and Employment Recognition Council is established under the *Vocational Education Training and Employment Act 2000* (s167). Its' responsibilities include:

- provision of strategic advice to the Minister on employment and vocational education and training issues and strategies
- making recommendations to the Minister in regard to guidelines for the Council about matters arising from the performance of Council's functions
- registration and regulation of training organisations
- registration, completion and cancellation of apprenticeships and traineeships
- course accreditation
- registration and regulation of vocational placements
- regulation of issuing qualifications and statements of attainment
- approval of apprenticeship and traineeship programs
- determination of probationary periods and nominal durations for apprenticeships and traineeships
- issuing skills recognition certificates
- recognition of group training organisations and principal employer organisations.

The Council plays a key role towards the strategy where three quarters of Queenslanders will hold trade, training or tertiary qualifications set by the Queensland Government in Toward Q2, through its dealings of significant and strategic issues. To assist this process the Council delegates some of its powers to bodies such as:

- the Registration Management Entity (an entity of the Council), the Apprenticeship Structures Subcommittee and specific departmental officers in the Department of Education and Training head office and seven regional offices
- public and private training providers
- the Queensland Studies Authority (QSA).

These delegations allow some decisions to be made locally, ensuring efficient and timely client service. The Council receives regular reports from these delegated bodies on their use of delegated powers.

This report includes details on the exercise of delegations in the appendices.



Chair's report

With the economy recovering from the global financial crisis (GFC), steps were taken in 2009-10 by the Training and Employment Recognition Council to alleviate potential and actual skills shortages, such as the lower intake of apprentices and trainees, and older persons leaving employment.

In 2009-10, my Council actively supported and approved a number of pre-apprenticeship courses, providing greater access to training to those not yet in apprenticeships. These courses are in the areas of construction, automotive, manufacturing/engineering, electrotechnology and printing. The Council is seeking advice in relation to other areas where such courses might be promoted. The benefit for participants in these courses is that they receive both institutionalised and on-the-job training. This makes the participants' job ready and attractive to potential employers. They also receive a credit towards their apprenticeship and salary progression.

On the national front the most important development affecting the Training and Employment Recognition Council (the Council) is the proposed establishment of a National Standards Authority and National VET Regulator in 2011.

The National Standards Authority will ensure standards are met and quality assurance is strengthened for students and businesses committed to the Vocational Education and Training (VET) sector nationally and will be responsible to the Ministerial Council for Tertiary Education and Employment (MCTEE) for recommending standards.

The National VET Regulator will be responsible for the registration and audit of registered training organisations (RTOs) across the nation, and the accreditation of courses against the standards. This has been a good policy initiative supported by the Queensland Government.

Numerous conferences have been held during the year of Registering Course Accrediting Bodies (RCABs), relevant departments and other interested organisations. The timetable for the

referral of legislation from participating state and territory governments and the federal government, and establishing the statutory authority, will be completed by the end of March 2011. After that date the registration of RTOs will transition from the states and territories to the statutory authority. The two non-participating states, Victoria and Western Australia, will draw up complementary legislation. However, RTOs operating in more than one state, and those with overseas students, will be required to register with the National VET Regulator.

In Queensland, the government has approved the establishment of Skills Queensland from 1 January 2011. This will be a statutory body established under the *Vocational Education Training and Employment Act 2000* and will lead the development of reform and government policy related to VET in Queensland. Part of the body's role will be to undertake community engagement and advice on strategic investment in VET. The creation of both this body and the National VET Regulator will have significant implications on the continuing role, if any, of the Council after 30 June 2011.

During 2009-10, new *Essential Conditions and Standards*, both for initial and continuing registration of RTOs, were drawn up. These will operate from 1 July 2010. Their purpose is to tighten up the registration procedure. They have primarily been prepared in response to inappropriate and inadequate training given by a small number of providers to overseas students.

A report reviewing the *Education Services for Overseas Students Act 2000* was completed in 2009-10. The report recommended changes to enhance Australia's reputation for quality education, including ensuring that all providers registered to deliver to overseas students provide a quality product, and that unethical practices are eliminated. As part of this, all current providers to overseas students are required to be re-registered by the end of 2010. All new providers to overseas students will need to meet the new standards, including financial viability.

Since 1998, the Council (and its predecessors) has been listed as a party to Orders of the Queensland Industrial Relations Commission that determine the wages and employment conditions for apprentices and trainees in Queensland.

During 2009-10, the Queensland Government, along with other state governments (except Western Australia), referred their residual industrial relations powers, with the exception of those involving state and local government employees and state school teachers, to the federal government. The result was a transfer of industrial coverage from state to federal awards. This meant that apprentices who were under the *Order – Apprentices’ and Trainees’ Wages and Conditions (Excluding Certain Queensland Government Entities) 2003* were to be transferred to the relevant federal award of Fair Work Australia. As there were a number of conditions under the order which were more beneficial than those under the relevant federal award, submissions were made on behalf of apprentices in Queensland for retention of those conditions. The end result was that conditions under the order were preserved for existing apprentices in Queensland. Fair Work Australia will now undertake an inquiry into apprenticeship wages and conditions. My Council has signified its interest to the President of Fair Work Australia and has asked to be involved in any discussions.

In 2009, the Council approved delegation of certain regulatory functions and responsibilities to Construction Skills Queensland (CSQ) to enable a pilot project to occur in the Sunshine Coast/ Wide Bay region to provide a one-stop shop for apprentices and employers in the construction industry. The pilot was supported financially by CSQ and the state and federal governments. A major aim was to promote and assist in the retention of apprentices in the industry. The pilot was impacted by the GFC. An independent evaluation of the pilot identified that there was benefit in providing direct support for apprentices and employers and that this assisted with the retention of apprentices who would otherwise have been lost to the industry. The report indicated there would be benefit in extending the pilot over a longer period. A decision has now been made by CSQ that they no longer wish to extend the pilot or be involved in the continuance of the regulatory aspect. CSQ have signified that they propose to concentrate on apprentice/trainee coaching and mentoring services. As a result, the Council will rescind its delegations to CSQ as from the 30 June 2010.

In 2009-10, the Council approved four group training organisation (GTO) applications and one principal employer organisation (PEO) application (a PEO employs 25 or more apprentices). During the same period, three GTOs relinquished their registration. In all cases, the apprentices/trainees involved were placed with other GTOs or employers. GTOs play an important role in Queensland, employing apprentices and trainees. In 2009-10, GTOs had approximately 6000 people in training.

During the year I attended meetings of the Chair’s of state training authorities (STAs), RCABs and Skills Australia. These meetings were very useful and facilitated an exchange of information and better coordination across jurisdictions.

There was an expiration of term for council member Karen Simpson during the year. Karen’s firsthand involvement with apprentices and trainees enabled excellent contribution to matters before the Council.

New members appointed during 2009-10 were Robert Cameron from the Construction Forestry Mining and Energy Union who attended his first meeting of the Council on 2 February 2010, and Kerry Whitaker from Gladstone Area Group Apprentices Ltd who attended her first meeting of the Council on 6 April 2010.

I would also like to congratulate Mr Chris Rodwell, a member of the Council since 3 February 2009, on his appointment as the new Queensland Trade Commissioner to the Americas. I am sure Chris will find the position both rewarding and challenging, and on behalf of the Council members, I wish you all the best in your future endeavours.

The past year has been a challenging one and I wish to acknowledge the significant contribution made by members of the Council during that time.

On behalf of the Council I also wish to thank officers of the Department of Education and Training for their professionalism in assisting the Council in performing its statutory functions. Their commitment and dedication is reflected in the consistently high standard of advice they provide.

Finally, thank you to the staff of the Training Secretariat who supported, on a daily basis, the Council’s work.

Council Members

Members of the Training and Employment Recognition Council are appointed by the Minister for Education and Training under the *Vocational Education Training and Employment Act 2000* (s170-175):

Barry Nutter, *Chair*



Barry commenced his career with the Shell Company of Australia, where he held various purchasing, finance and internal audit positions. Barry completed an accountancy qualification and subsequently a Bachelor of Commerce degree whilst employed by the Queensland Professional Officers Association. A one time Director-General of the Department of Employment, Vocational Education, Training and Industrial Relations, Barry also served a term as Director of the Industrial Division of the Department of Industrial Affairs. From 1992 until his semi-retirement in 1999, Barry was a Commissioner of the Queensland Industrial Relations Commission until his appointment as Council Chair. Barry has conducted consultancy work for a range of Queensland Government departments. His professional career also included membership on the State Public Service Board and 11 years as General Secretary of the Queensland Professional Officers Association.

Barry attended as Chair the meetings of the Council, Registration Management Entity and Apprenticeship Structures Committee. His term expires on 30/06/2011

Sue Freeman, *Deputy Chair*



Sue is Managing Director of First Impressions Resources (FIR) – The Australian Retail College. FIR is a privately owned, Brisbane-based registered training organisation that specialises in the delivery of qualifications to the retail sector across all states and territories in Australia. Sue built her career as a retailer not an educator and came to FIR 22 years ago. Sue actively participates as a member of the Australian Council for Private Education and Training and contributes to a range of working groups and committees to advance vocational education and training in Australia.

Sue attended meetings of the Council, Registration Management Entity and Apprenticeship Structures Committee. Her term expires 03/12/2011.

Derek Broanda



Derek is an Industrial Advocate for the Australian Workers' Union and has had over 10 years experience in the training sector working for the Queensland Government. Derek has represented the Union on numerous industry training advisory bodies, other training groups and is responsible for integrating training and industrial outcomes for the Union.

Derek attended meetings of the Council, Apprenticeship Structures Committee and is an alternate attendee for Sue Freeman on meetings of the Registration Management Entity. His term expires 25/05/2011.

Robert Cameron



Robert is the Training Coordinator for the Construction, Forestry, Mining and Energy Union (CFMEU), Construction and General Division. He has held this position for the past 12 years and has been responsible for the establishment and management of the CFMEU apprentice scholarship and various other training programs. Robert is a past board member of Construction Training Queensland, is currently on the board of directors of BIGA Training and is a current director of Building Employees Redundancy Trust, Training Queensland as well as numerous steering committees, training package development groups with Construction Skills Queensland, the Building Industry Advisory Group and, various course development advisory committee's with TAFE Queensland.

Robert attended meetings of the Council and Apprenticeship Structures Committee. His term expires on 03/12/2010.

Graham Cuthbert



Graham was appointed as Executive Director, Master Builders' in 2002 and has held the roles of Manager - Industrial Relations, and Director - Construction. Having worked for industry, corporate and employer organisations, Graham has extensive experience in the legal, technical, political and practical aspects of industrial relations. Graham has strong strategic leadership skills and has guided the Master Builders through a period of unprecedented growth in both membership services and financial terms. Graham attended meetings of the Council. His term expires on 03/12/2011.

Andrew Dettmer



Andrew is State Secretary of the Australian Manufacturing Workers' Union, Queensland/Northern Territory branch. Andrew holds the position of Chair of Manufacturing Skills Queensland, and has a long involvement with skill formation issues in the manufacturing industries. Andrew is also a member of Construction Skills Queensland as well as a board member of QMI Solutions and SkillsTech Australia.

Andrew attended meetings of the Council and Apprenticeship Structures Committee. His term expires on 25/05/2011.

Kaylene Harth



Kaylene is Institute Director, Metropolitan South Institute of TAFE. Kaylene has been involved in vocational education and training for over 20 years in various key public sector roles in Queensland including the implementation of User Choice and as the Director, The Bremer Institute of TAFE. Kaylene attended meetings of the Council and Registration Management Entity. Her term expires on 29/08/2010.

Elena Itsikson



Elena is Principal at Runcorn State High School. Elena has more than 25 years experience in the teaching profession. Prior to her appointment to Runcorn State High School, she worked extensively in Logan schools. It was here that she consolidated her knowledge of vocational education as President of Logan School to Work Inc. Currently Elena is Secretary of the Queensland Secondary Principals' Association.

Elena attended meetings of the Council and is an alternate attendee for Paul Reardon on meetings of the Registration Management Entity. Her term expires on 29/08/2010.

Vivienne Mallinson



Vivienne is the Chief Executive Officer, BUSY Inc. Vivienne has hands-on experience of the apprenticeship and traineeship system through her work with BUSY Inc., a community-based association delivering employment and training services on the Gold Coast since 1977. BUSY Inc. also operates an Australian Apprenticeships Centre, BUSY At Work.

Vivienne attended meetings of the Council and Apprenticeship Structures Committee and is an alternate attendee for Kaylene Harth on meetings of the Registration Management Entity. Her term expires on 03/12/2010.

Kathleen Newcombe



Kathleen is General Manager, Marketing, Reputation and Strategy, Mondial Assistance – Australia. Prior to this appointment, Kathleen had 30 years experience in education and training, the last 10 of which she was Chief Executive Officer of Study Group in Australia and the USA. Kathleen has extensive experience in the Vocational Education and Training sector through the Study Group brand of Martin College, a nationally registered training organisation. Kathleen attended meetings of the Council. Her term expires on 03/12/2011.

Paul Reardon



Paul is the TAFE Organiser, Queensland Teachers Union (QTU), and Federal President of the Australian Education Union (AEU) – TAFE division.

A former TAFE teacher, Paul has held a range of roles within the QTU and the AEU including the Queensland Representative on the National TAFE Council Executive of the AEU.

Paul attended meetings of the Council and Registration Management Entity. His term expires on 03/12/2010.

Chris Rodwell



Chris is the Queensland Director of the Australian Industry Group and holds primary carriage for representing Australian industry to the Queensland Government and broader Queensland community. Additionally, Chris is a board member of QMI Solutions. He also represents Australian industry as the Chair of SkillsTech Australia and the Industry Capability Network Advisory Committee, and is a member of the Premier's Employment Taskforce, the Queensland Design Council and the Queensland Industry Advisory Group.

Chris attended meetings of the Council. His term expires on 03/12/2011.

Chris Thiesfield



Chris is the Chief Executive Officer of Christopher Thiesfield & Associates Pty Ltd – Training and Employment Consultants, Rural and Remote. Chris has held numerous positions within the public sector, including three years as State Manager for the Aboriginal and Torres Strait Islander Coordination Unit. Chris has recently run programs for Indigenous communities to help link training with employment and establish small businesses. Chris is a member of the national AgriFood Skills Rural and Related Standing Committee.

Chris attended meetings of the Council and is an alternate attendee for Barry Nutter on meetings of the Registration Management Entity. His term expires on 03/12/2010.

Kerry Whitaker



Kerry is the Chief Executive Officer of the Gladstone Area Group Apprentices Ltd (GAGAL) a group training organisation. Kerry has been responsible for the diversification of the organisation into skills centres, training delivery for the off-the-job component of a number of trade areas in construction and engineering and a number of pre employment programs focussed on the disadvantaged and disengaged. Kerry has also been responsible for the growth of the Try a Trade phenomena in Central Queensland which is now named What's My Trade? and caters for a younger cohort of students in remote communities, youth justice system, and people with a disability.

Kerry attended meetings of the Council and Apprenticeship Structures Committee. Her term expires on 03/12/2010.

Karen Simpson

Karen served on the Council until 3 December 2009.

Highlights

Pre-apprenticeship Skilling Pathway

Queensland industry was significantly impacted by the global financial crisis. As a result, apprenticeship commencements, particularly those in traditional trade areas, experienced a significant decline.

In Queensland, 75% of all apprentice new commencements in the 12 months to December 2009 were in the construction, engineering, automotive, utilities (construction related), and hospitality areas. At the end of 2009, these industry areas were experiencing the greatest decline in apprenticeship take-up since their peak levels recorded during 2008. For construction and manufacturing/engineering trades, falls of around 52% and 37% respectively were recorded at the end of 2009, from their peak levels reached in 2008.¹

As part of a broader range of strategies to help mitigate declining apprenticeship numbers during the global financial crisis, the Council considered and approved the framework for an institutional training model, the *Pre-apprenticeship Skilling Pathway*. The Council approved implementation of the pathway in accordance with the following delivery framework:

- endorsed and led by industry
- provides flexible entry and exit points
- provides suitable workplace assessment processes and simulated work environments
- provides benefits for industry and individuals.

The objective of the *Pre-apprenticeship Skilling Pathway* is to:

- skill prospective apprentices in preparation for the return of growth in traditional trade areas to ensure they can transition into the apprenticeship pathway quickly
- target those trade areas most affected by the downturn

- ensure that industry plays a significant role in determining the training to be delivered so it supports the outcomes achieved and will employ graduates of the pathway in an apprenticeship upon completion.

During 2009-10, through its Apprenticeship Structures Committee, the Council approved five customised industry-specific models under the *Pre-apprenticeship Skilling Pathway*, in the following trade areas:

- manufacturing/engineering
- construction
- electrotechnology
- automotive
- printing.

Delivery under the *Pre-apprenticeship Skilling Pathway* commenced in January 2010, and is currently providing school leavers and other young people with the trade-related preparatory skills that will assist them to transition quickly in the apprenticeship pathway.

The initiative has involved close consultation with industry, unions and training providers to design a framework and customised industry-specific models that complement the existing traditional trade pathway and will ultimately support the future growth of apprenticeship commencements in the state.

The Department of Education and Training set a target of 2000 participants in training by June 2010. As at 30 June 2010, a total of 1993 participants have enrolled. The initiative will continue in 2010-11.

The Council will continue to play a role in the further development and implementation of the pathway in 2010-11. It is expected that the Department, under delegation of the Council, will expand the program to include additional customised industry models, subject to demand.

¹ Emerging Apprenticeship and Traineeship Trends, February 2010.

Impact of award modernisation and Commonwealth legislation on the Queensland Apprenticeship System

Departmental officers actively participated in the national Fair Work Australia award modernisation proceedings. A key aspect of this participation was to retain the existing industrial relations arrangements that had previously been agreed to by the Council and were contained in the *Order - Apprentices' and Trainees' Wages and Conditions (Excluding Certain Queensland Government Entities) 2003*. These arrangements, which are unique in Australia, provide for competency-based wage progression for apprentices and trainees.

As a result of these efforts, the Australian Government legislated to preserve the application of the Order for Queensland workplaces and their apprentices and trainees.

The Council, in collaboration with the Department, will now continue to advocate for a fair and balanced system in support of apprentices and trainees when Fair Work Australia conducts a broad national review of wages and conditions of employment for this key cohort of employees towards the end of 2010.

School-based apprentices and trainees

For the 2009-10 financial year school-based apprentice and trainee commencements were 7927. This represents an increase of 5.6% in the number of school-based apprentice and trainee commencements compared with the previous 12 months. There were, for the financial year, 6755 school-based trainees and 2996 apprentices in training.

Figures from the National Centre for Vocational Education Research (NCVER) show that in the 2009 calendar year Queensland enjoyed continued success with the school-based program with approximately 52% of the national state commencements. Factors contributing to this success include:

- the high level of commitment, cooperation and leadership across stakeholder groups including schools, industry, employers, unions and government agencies
- a legislative and regulatory environment that has supported implementation

- widespread regard for a program that provides real outcomes for young people.

School-based apprentices and trainees can be found in state and non-state schools across every region of Queensland, and in all kinds of industries.

The Council, through the School-based Apprenticeships and Traineeships Advisory Committee, has explored and encouraged innovation by key system stakeholders in dealing with SATs. The Council has also asked all stakeholders to identify opportunities to improve collaboration between schools, training providers, employers, apprentices and trainees to promote good practice and to provide the best possible outcomes.

Policy change to part-time apprenticeships and traineeships for people with a disability

The Australian Government provides *Disability Support Pensions* to people who meet certain eligibility criteria. One of the eligibility criteria is that a person is not able to work for 15 hours or more per week.

The Department of Education and Training's policy for part-time apprenticeships and traineeships requires part-time apprentices and trainees to work 15 hours or more per week averaged over a four week cycle. As these arrangements were deemed to negatively impact on people with a genuine disability wishing to partake in a part-time apprenticeship or traineeship, a submission was presented to the Council seeking a modification to the part-time apprenticeships and traineeships policy.

At its April 2010 meeting, the Council approved arrangements, under Delegation 1 Registration and refusal of a training contract, for applications by part-time apprentices and trainees who receive the Disability Support Pension or hold a Pension Concession Card who work less than the required 15 hours per week when averaged over a four week cycle. Approval can be provided where the delegate is confident that the reduced hours of work will not significantly affect the part-time apprentice or trainee from obtaining adequate work to attain the necessary competencies.

Group training organisations and principal employer organisations

During 2009-10, the Council continued its role in the recognition of group training organisations (GTOs) and principal employer organisations (PEOs). There are currently 34 group training organisations and three principal employer organisations approved by the Council to operate in Queensland.

Two GTOs and one PEO have been approved throughout 2009-10 while two GTOs have had their recognition withdrawn. It is important to note that the two withdrawn organisations did so at their own request.

As at 30 June 2010, GTOs and PEOs collectively employed 7910 apprentices and trainees in Queensland. This equates to approximately 8.5% of all apprentices and trainees in the state.

As a result of global economic downturn the Department of Education and Training aligned GTO funding arrangements to target state priorities and stimulate employment opportunities. Officers from the Department regularly monitor the performance of group training organisations and maintain close communication to ensure employment targets are being met.

GTOs and PEOs continue to create employment opportunities for apprentices and trainees especially in skills shortage areas, re-engaging out-of-trade apprentices, creating employment opportunities in rural and remote areas of the state, and working to provide skills and employment to disadvantaged groups.

Apprentice Retention and Completion Strategy

(Formerly known as Training Monitoring)

During 2009-10, the Council continued to support the proactive regional visit activities with regional field officers conducting workplace visits to over 10 000 apprentices. The main focus of these visits is to assess the apprentices and identify areas where progress is not occurring at the expected rate.

Apprentices were targeted within:

- 12-52 weeks of commencement
- 40-66 weeks from nominal completion date.

The total number of apprentices visited as part of the strategy in 2009-10 was 11 375, which includes 775 visits undertaken by staff from Construction Skills Queensland (CSQ) as part of the Industry Support pilot conducted in the Sunshine Coast/Wide Bay region. Of these visits, 6701 were conducted within 12-52 weeks from commencement, 1198 within 40-66 weeks of the nominal completion date, and the remaining visits occurred during other stages of the apprenticeship.

Of the 11 375 apprentices visited, 84% (9564) were identified as progressing in line with expected progression points. For those apprentices who were identified as having progression issues, regional staff conducted follow-up activities which included contact with the Supervising Registered Training Organisations as required.

These proactive visits also allow regional staff to provide additional support and education to employers and apprentices, promote competency based progression, gather information on issues affecting apprentice progression, identify potential Queensland Training Award candidates, and look for examples of best practice within the apprenticeship system.

Gold Coast – 2010

On 1 June 2010, the Council visited the South East Region, meeting with vocational education and training (VET) stakeholders in Southport.

The day commenced with the Council conducting its formal meeting and was followed by a forum attended by local VET stakeholders.

Chair of the Council, Barry Nutter, spoke about national VET developments and state initiatives involving the Council.

Deputy Chairperson, Sue Freeman, provided attendees with information on the role of the Registration Management Entity, an entity of the Council.

This forum allowed local VET stakeholders to raise issues about the day-to-day administration of apprenticeships and traineeships in their region and to gain an understanding of the role of the Council and its entity.

Construction Skills Queensland Apprentice Retention and Support Pilot Project – Industry Support Program

The Council, in recognising the importance of providing support to apprentices and trainees in order to improve retention, partnered with Construction Skills Queensland (CSQ) to pilot an industry led apprentice and trainee support project in the Sunshine Coast/Wide Bay region.

The pilot involved the Council providing CSQ with the authority to perform delegations normally undertaken by the Department of Education and Training in relation to the regulation and support of apprentices and trainees.

The pilot proved successful in providing enhanced support to apprentices and trainees notwithstanding the significant negative impacts the global financial crisis had on activity levels in the industry.

This pilot has now formally concluded. However, given the industry support for this project and the ongoing industry concerns of the industry in relation to retention as the economy recovers, CSQ is now evolving this pilot program into a statewide service arrangement under which coaching and mentoring services will be offered.

Summary of TVET Australia activity

As part of the reforms of the national training system, the former Ministerial Council on Vocational and Technical Education agreed to establish a national regulatory function within TVET Australia. This function allows for multi-jurisdictional registered training authorities (RTOs) to have their registration and audit functions managed by TVET Australia. The National Audit and Registration Agency (NARA) was established within TVET Australia to perform this function.

To facilitate this, a number of jurisdictions agreed to delegate their regulatory functions to TVET Australia. The Council granted a delegation allowing TVET Australia to manage the registration and audit functions of those eligible Queensland RTOs, choosing to transfer to NARA, on 18 March 2008.

In 2009-10, the Council approved seven organisations to transfer registration to or apply for initial registration with NARA. This brings the number of Queensland organisations that have been approved to apply to or have transferred, the management of registration and audit functions to NARA to approximately 28. This number represents approximately 30% of the total number of RTOs currently registered nationally through NARA. One organisation has subsequently surrendered its transfer approval.

The Council will continue the delegation to NARA to manage the registration of RTOs selecting this option until the transfer of functions to the National VET Regulator.

Risk management approach to registered training organisation regulation

The Department of Education and Training continues to apply the National Quality Council (NQC) approved risk management approach toward the objective of ‘minimum regulatory intervention’. This approach was implemented in 2008-09 in accordance with the relevant Australian Quality Training Framework (AQTF) national guidelines approved in November 2007. Under the approach, a low risk rating for a registered training organisation (RTO) leads to a lower level of intervention and quicker processing of applications.

Under the revised AQTF, the risk indicators have been broadened and the number of indicators increased from 3 to 17. These changes will necessitate a review of the Department’s current risk assessment and management model, to be undertaken in August 2010. While the revised model will be reflective of the stronger approach incorporated in the revised standards, the ‘minimum regulatory intervention’ model will continue to be applied.

In anticipation of full implementation of the AQTF Quality Indicators from 1 July 2010, a comprehensive range of materials was developed and published during 2008-09 to assist RTOs in interpreting their reporting obligations, and to assist them in full and timely submission of reports to the Council.

Registration and audit of registered training organisations

During 2009-10 the number of registered training organisations (RTOs) increased from 1356 in 2008-09 to 1445. This represents an increase of 6.5% over the previous financial year. Queensland continues to have the largest number of RTOs of any Australian jurisdiction.

In all cases, applications for initial registration attract an audit of the applicant organisation. Each application for renewal of registration or extension to scope is evaluated against a range of risk factors. The outcome from this evaluation determines whether an audit is required.

Throughout the year, under delegation of the Council, 1261 applications for registration were approved, including extension to scope of registration. Of these, 180 were new training organisations. Registration growth was highest in the industry areas of business, building and construction, community services, general education and training, mining, and transport and distribution.

There were 747 compliance audits conducted on 665 RTOs or applicant RTOs. Of these audits, 556 resulted in non-compliances against one or more requirements of the Australian Quality Training Framework (AQTF). While the majority of non-compliances were rectified within the rectification period of 20 working days, 53 audit reports relating to the compliance of 42 organisations were forwarded to the Council's entity, the Registration Management Entity (RME) for further consideration. In addition, registration issues relating to 21 RTOs were referred to the RME for consideration.

The resulting outcomes were:

- 19 organisations achieved compliance
- 5 organisations voluntarily cancelled all or part of their scope of registration
- 1 extension to scope application was refused
- 4 organisations' registrations were suspended in part or wholly
- 2 initial registration applications were refused
- 2 organisations had part of their scope of registration cancelled
- 9 organisations had their registration as an RTO cancelled

- 16 organisations have matters ongoing with the RME.

There has been a significant increase in the number of audit outcomes referred to the RME compared with 2008-09. This is due to procedural changes which restrict the number of opportunities for RTOs to rectify non-compliances to one before the matter is referred to the RME.

The Council continued to support the integration, where possible, of AQTF and User Choice Contract compliance audits to minimise disruption to a RTO's business activities. Further review of this process will occur early in 2010-11 to reflect changes to the User Choice funding model.

Prosecutions

The regulation of vocational education and training in Queensland occasionally requires prosecution of persons and/or corporations considered to have breached the *Vocational Education, Training and Employment Act 2000*. In these cases, under the delegation of the Council, the Department of Education and Training liaises with the Department of Justice and Attorney-General in the conduct of the prosecution.

During the past year, one prosecution occurred involving a New South Wales-based training organisation which lodged false and misleading documents with the Council in support of an application to transfer its registration to the National Audit and Registration Agency. The prosecution, through the Brisbane Magistrates Court, resulted in a plea of guilty and the imposition of a substantial fine.

Educational activities

The Council has been informed of the delivery of a program of 90 workshops and information sessions by Training and International Quality (TIQ), a division within the Department of Education and Training during 2009-10. These workshops were attended by 1548 people, representing RTOs, applicant RTOs and other interested stakeholders.

The program is designed to provide current information and advice to support the capability of RTOs, course copyright owners, and those interested in arrangements for vocational placement schemes. The goal is to improve assessments by RTOs and improve the levels of

voluntary compliance with the Australian Quality Training Framework and the *Vocational Education, Training and Employment Act 2000*. A similar program of education is planned for 2010–11.

Amendment to policy on overseas delivery of Australian Qualifications Framework qualifications

The Council reviewed and amended its policy on offshore delivery of the Australian Qualifications Framework (AQF) on 9 October 2009 to ensure RTOs delivering offshore, and those considering doing so, are provided with current advice on their obligations when delivering Australian courses or qualifications overseas.

The amendments to the policy included the addition of the context and reasoning for the existence of the policy and acknowledgement of the growth in offshore delivery. The amendments also reflect the current Australian Quality Training Framework and the risk based approach to the monitoring of offshore operations.

Strengthening of the Australian Quality Training Framework

In November 2009, the Council of Australian Government's (COAG) endorsed changes to the Australian Quality Training Framework (AQTF) in response to emerging issues in the vocational education and training sector. The changes aim to increase the consumer protection inherent in the framework. The amended framework introduces new standards for organisations applying to become RTOs and stronger standards for existing RTOs. A more thorough approach to management of risk is a key factor in the revised standards.

Since being released by COAG in December 2009, the AQTF *Essential Conditions and Standards* have been clarified to ensure that they give effect to COAG's intent. These clarifications were endorsed by the Ministerial Council for Tertiary Education and Employment on 9 June 2010 for implementation from 1 July 2010.

To reflect the strengthening of the AQTF, significant revisions to processes underpinning regulation were undertaken by the Department of Education and Training late in 2009-10 to ensure requirements for the assessment of applications for initial registration and renewal of registration are met.

Appeals

Apprenticeships and traineeships

A person aggrieved by a decision about a range of matters that apply to apprenticeships and traineeships may appeal the decision to the Queensland Industrial Relations Commission. These decisions are made by officers of the Department of Education and Training under delegation from the Council. During 2009-10, over 3300 appealable decisions were made by departmental delegates of the Council.

Three appeals were lodged against those decisions. The three appeals were settled at conferences before the Commission and were subsequently withdrawn. This outcome confirms the quality and integrity of processes applied by the departmental delegates of the Council in reaching their decisions.

The Staff Development Unit within DET completed state-wide training in 'Evidence Based Decision Making' for all regional field staff who undertake compliance activities. This training assists to maintain consistency of practice across the state and ensures that staff has the skills and knowledge to undertake their field activities appropriately. All participants have been assessed as to their competence in this key area of work.

Registered training organisations

A person aggrieved by a decision about the registration of a training organisation may appeal that decision to the Queensland Civil and Administrative Tribunal (QCAT) which began operations on 1 December 2009. QCAT reviews decisions previously made by government agencies and statutory authorities known as review decisions.

During 2009-10 there were no Council decisions subject to a review by QCAT and prior to 1 December 2009 by the Magistrates Court.

Accreditation of courses to support skilling frameworks

Accredited courses are nationally recognised training products and include courses developed to meet emerging and specific training needs not catered for within training packages. Accredited courses support the ongoing implementation of government skilling frameworks.

During 2009-10, accredited courses were developed by both the public and private sector.

Sixty-three courses were accredited under delegation from the Council comprising:

- 12 courses in arts and entertainment – creative, entertainment and general from ‘course in’ to Advanced Diploma
- 4 courses in business – general from Certificate IV to Advanced Diploma
- 4 courses in community services – general from ‘course in’ to Advanced Diploma
- 8 courses in construction – general from ‘course in’ to Vocational Graduate Certificate
- 2 courses in engineering – aviation and general ‘course in’
- 19 courses in general education and training – from ‘course in’ to Diploma
- 4 courses in health – general from Certificate II to Vocational Graduate Certificate
- 5 courses in primary industry – horticulture from Certificate I to Diploma
- 5 courses in transport and distribution – road and general from ‘course in’ to Certificate IV.

Amendments to Guidelines 3 and 4

To reflect current practice and to more clearly state the requirements under the *Vocational Education Training and Employment Act 2000*, s190A and s169, the Council recommended to the Minister for Education and Training amendments to:

- Guideline 3 ‘Recognising vocational placement schemes’ and
- Guideline 4 ‘Registering and regulating vocational placement agreements’ (short and long).

The guidelines came into effect on the date of the Ministers’ signed approval, 15 December 2009.

Future initiatives

Skills Queensland

On 9 June 2010, the Premier and Minister for the Arts announced the establishment of Skills Queensland as an independent skills commission for Queensland to drive training, investment and skills reform in Queensland.

Skills Queensland will be established as a statutory body reporting to the Minister for Education and Training and led by a high level industry board selected to take a whole-of-state, whole-economy view on skill needs. This structure will provide the commission with a level of autonomy required for it to form an independent view of skill needs in Queensland.

As many of the responsibilities of the Council transfer to the National VET Regulator in the future, regulatory responsibilities that remain, such as responsibility for apprenticeships and traineeships, will be led by Skills Queensland, commencing January 2011, subject to the government's endorsement of the proposed Bill when presented to the Queensland Parliament.

Skills Queensland will have the following key functions:

- To advise and make recommendations to the Minister about:
 - skills and workforce development
 - skilled migration in Queensland
 - any other matters referred to Skills Queensland by the Minister.
- To develop a skills and workforce investment plan and take action approved by the Minister in relation to the plan.
- To promote and encourage industry investment in vocational education and training.

Skills Queensland will empower industry with genuine ownership and leadership of the state's VET, higher education and workforce development sectors, directing resource allocation for the state's investment in skills to ensure the skill needs of a growing economy can be met. Skills Queensland will also lead a skills reform process aimed at fostering a more flexible and demand-driven skills system that is free to respond to the changing needs of industry.

National VET Regulator

The Council of Australian Governments agreed in December 2009 to a national regulation model for the vocational education and training (VET) sector comprising a policy-setting standards council and a national regulator. In its 2010/11 budget the Australian Government committed \$55 million over four years to fund the national regulator.

To assist in the implementation of a national system of quality assurance and regulation in the VET sector, the Chair of the Council and senior departmental officers were invited by the Commonwealth to attend reference and working group meetings. At those meetings they provided input into proposed legislation and operational requirements in the establishment of the Commonwealth statutory authority under Commonwealth legislation, through a conditional and limited text-based referral of powers from Queensland.

There will be two separate bodies established. The National Standards Council will set the national standards and provide advice to the relevant Ministerial Council while the National VET Regulator will enforce the national standards. A branch of the national regulator will be established in Queensland to carry out the operational aspects of regulation which the Training and Employment Recognition Council currently administers through its sub committee, the Registration Management Entity (RME) under the *Vocational Education, Training and Employment Act 2000* and its regulations.

It is envisaged the national regulator will be operational from 2011. Transition details, including employment arrangements for staff, will be negotiated through a bilateral agreement between the Commonwealth and the Queensland Government.

Training and Employment Recognition Council 2009-10 table of attendance

Member	2009			2010		
	4 August	6 October	1 December	2 February	6 April	1 June
Barry Nutter (Chair)	✓	✓	✓	✓	✓	✓
Derek Broanda	✓	✓	✓	✓	✓	✓
Robert Cameron	Commenced 4 December 2009			✓	✓	✓
Graham Cuthbert	✓	✓		✓	✓	✓
Andrew Dettmer	✓		✓	✓	✓	✓
Sue Freeman		✓	✓	✓		✓
Kaylene Harth	✓		✓	✓	✓	✓
Elena Itsikson		✓	✓	✓		✓
Vivienne Mallinson	✓	✓	✓	✓	✓	✓
Kathleen Newcombe	✓	✓	✓	✓	✓	
Paul Reardon	✓		✓	✓	✓	✓
Chris Rodwell	✓	✓				✓
Karen Simpson	✓	✓	✓	Term expired 3 December 2009		
Chris Thiesfield	✓	✓	✓		✓	
Kerry Whitaker	Commenced 4 December 2009				✓	✓

Number of meetings held during 2009-10

- Training and Employment Recognition Council 6
- Registration Management Entity 18
- Apprenticeship Structures Meeting 2

The Council is supported by the:

- Manager, Training Secretariat
- Executive Officer, Training and Employment Recognition Council and
- Assistant Executive Officer, Registration Management Entity.

Training and Employment Recognition Council

Financial statement

Financial transactions for the Training and Employment Recognition Council are included in the financial statements of the Department of Education and Training.

Separate financial statements are not prepared for the Training and Employment Recognition Council.



Julie Grantham

Director-General

Department of Education and Training

Expenses

Council expenses for the 2009-10 financial year totalled \$124 395.07.

Expenses included Chair's allowance, members' sitting fees, printing, freight, accommodation, travel, catering and venue hire.

The Council has not undertaken any consultancies or overseas travel in 2009-10.

Glossary of abbreviations

ACPET	Australian Council for Private Education and Training	NQC	National Quality Council
AEU	Australian Education Union	PEO	Principal employer organisation
AQTF	Australian Quality Training Framework	QCAT	Queensland Civil and Administrative Tribunal
CEO	Chief Executive Officer	QTU	Queensland Teachers Union
Council	Training and Employment Recognition Council	QSA	Queensland Studies Authority
CSQ	Construction Skills Queensland	RCABs	Registering Course Accrediting Bodies
DELTA	Direct Entry Level Training Administration	RME	Registration Management Entity
DET	Department of Education and Training	RTO	Registered training organisation
eDRMS	Electronic Document and Records Management System	SATS	School-based apprentices and trainees
FIR	First Impressions Resources	STA	State Training Authority
GFC	Global financial crisis	TERC	Training and Employment Recognition Council
GTO	Group training organisation	TIQ	Training and International Quality
NARA	National Audit and Registration Agency	TVET	Technical and vocational education and training
NCVER	National Centre for Vocational Education Research	VET	Vocational education and training

Recordkeeping

Physical and electronic records are necessary for business operations and accountability requirements, and to meet community expectations.

All departmental records are ‘public records’ as defined under the *Public Records Act 2002*. The Council’s records are managed by the Department of Education and Training. The Department applies whole-of-government information policies and standards to these, and is progressively implementing *Information Standard 40: Recordkeeping*.

Effective document and records management provides:

- reliable access to information assets
- informed decision making
- cost-effective use of information resources
- business continuity
- compliance with legislation
- compliance with departmental policies and procedures.

The Department has used an electronic Document and Records Management System (eDRMS) since 2002 to manage its documents and records. The eDRMS assists departmental officers in corporate areas to effectively manage all types of corporate records.

In 2009-10, the Department continued to implement standardised document and records management tools, systems and processes and reviewed the Corporate Thesaurus and Business Classification Scheme.

Appendix 1

Regional use of delegations

For the period of 1 July 2009 to 30 June 2010

Delegation	Central Qld	Darling Downs South West	Far North Qld	Metropolitan	North Coast	North Qld	South East Qld	Total
*TERC 1(a) Registration of a training contract	7282	6074	3384	19 712	11 250	4769	12 961	65 432
*TERC 1(b) Refusal to register a training contract	61	33	32	138	45	22	115	446
TERC 2 Late lodgement of a training contract	441	368	307	1400	433	436	787	4172
*TERC 3 Amendment to a registered training contract	2993	12 595	11 714	13 553	4360	2761	5123	53 099
*TERC 5 Cancellation of a training contract by a party	74	1	1	478	137	33	471	1195
TERC 6 Cancellation for serious misconduct	2	1	2	1	0	0	0	6
TERC 7 Discipline and imposition of penalties	9	17	3	17	4	15	58	123
TERC 8 Cancelling registration of training contracts	50	1	1	93	36	5	235	421
TERC 9 Council's power to reinstate a training contract after cancellation	1	0	0	0	0	2	0	3
TERC 10 Extension or reduction of probationary period	49	159	8	45	25	48	58	392
*TERC 11 Extension to nominal term	821	559	401	1698	831	560	1081	5951
TERC 13 Ratio of apprentices to tradespersons/trainees to qualified persons	0	0	0	0	0	0	0	0
TERC 16 Temporary stand down	129	85	190	871	146	52	674	2147
*TERC 17 Issuing of certificate of completion	3594	3114	1761	10 993	5481	2553	6987	34 483
TERC 18 Cancelling certificate of completion	0	0	0	0	0	0	0	0
TERC 20 Issuing and cancelling of recognition certificates	0	0	0	0	0	0	0	0

* Delegation implementation report provided centrally by the Direct Entry Level Training Administration (DELTA) Help Desk.

Appendix 2

Other delegations exercised

Delegation		Number of times exercised by delegates
TERC 20	Issuing and cancelling of recognition certificates as exercised by the Industry Training Advisory Bodies (ITABs) – Construction Training QLD	5
TERC 22	Recognition of Vocational Placement Schemes	373
TERC 23 (a & b)	Registration of training organisations: <ul style="list-style-type: none"> ▪ initial registrations ▪ renewal of registrations ▪ amendments to scopes of registrations 	172 RTOs/680 Qualifications 56 RTOs/690 Qualifications 527 RTOs/2344 Qualifications
TERC 24	Accreditation of courses: <ul style="list-style-type: none"> ▪ accreditation and re accreditation of courses ▪ renewal of courses – extensions without amendment ▪ amendment of courses 	63 51 54
*TERC 25	Self-Management of Scope of Registration	1 RTO/0 Qualifications
TERC 26	Self-Management of Accreditation functions <ul style="list-style-type: none"> ▪ TAFE Queensland ▪ Study Group Australia Pty Ltd 	0 0
TERC 27	Approve changes to recognition of work or training occupational criteria	0
TERC 28	Declaring apprenticeships or traineeships	105
*TERC 30/45	Approving amendments to scope of registration <ul style="list-style-type: none"> ▪ Queensland TAFE institutes 	13 RTOs/497 Qualifications
*TERC 39	Queensland Studies Authority: <ul style="list-style-type: none"> ▪ accreditation of courses to Australian Qualifications Framework Certificate II ▪ extension to scopes of registration (schools) ▪ initial registration (schools) ▪ renewal of registrations (schools) 	0 199 Schools/1078 Qualifications 8 Schools/22 Qualifications 85 Schools/711 Qualifications

*TERC 30 – Delegation 30 underwent a review during 2009 and since October 2009 these functions are now performed under Delegation 45.

*TERC 25 – the holder of this delegation, Study Group Australia Pty Ltd, trading as Martin College, voluntarily transferred the management of its registration and audit functions to National Audit and Registration Agency (NARA) in September 2009. The delegation was revoked upon approval by the Council of the transfer application.

*TERC 39 – Delegation 39 underwent a review during 2009. One of the amendments as a result of the review was to remove the authority to accredit courses within the Australian Quality Training Framework (AQTF) Standards for Accredited Courses. The Queensland Studies Authority has not held a delegation that gives authority to accredit courses since October 2009.

ADDENDUM

Annual Report 2009-2010

Training and Employment Recognition Council

The Training and Employment Recognition Council (the Council) is supported in its day to day operation by the Department of Education and Training through the Training Secretariat.

On behalf of the Council the Training Secretariat intends working towards raising awareness of the Carers Charter for members of the Council and for departmental employees who support the operations of the Council by the inclusion of information in induction training of members and staff and/or information available on the Department of Education and Training websites (internet/intranet).

The Department of Education and Training HR policies provide flexible work arrangements to assist carers meet their commitments, i.e. part time work arrangements, carer leave entitlements. These policies are accessible by departmental staff that support the Council employed within the Training Secretariat.

The Training and Employment Recognition Council information is accessible to the public through the Department of Education and Training website www.training.qld.gov.au

The Training and Employment Recognition Council is not required to have input into strategic policy and planning decisions made by the Department of Education and Training.