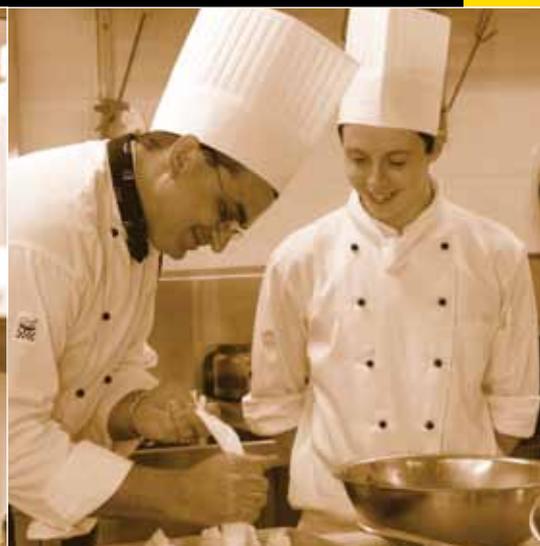


# Annual Report 2010–11



Training and Employment Recognition Council

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### **Public availability**

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*Council Members photographed include from Left to right: Paul Reardon, Kerry Whitaker, Barry Nutter, Kaylene Harth, Vivienne Mallinson and Graham Cuthbert (Absent: Sue Freeman, Derek Broanda, Robert Cameron, Andrew Dettmer, Chris Thiesfield)*

# Glossary of abbreviations

AEU	Australian Education Union	NARA	National Audit and Registration Agency
AMWU	Australian Manufacturing Workers Union	NISS	National Identity Security Strategy
AQTF	Australian Quality Training Framework	PEO	Principal employer organisation
ASQA	Australian Skills Qualification Authority	QCAT	Queensland Civil and Administrative Tribunal
AWU	Australian Workers Union	QIRC	Queensland Industrial Relations Commission
CFMEU	Construction, Forestry Mining Energy Union	QTU	Queensland Teachers Union
COAG	Council of Australian Governments	QSA	Queensland Studies Authority
Council	Training and Employment Recognition Council	QVET	Queensland Vocational Education and Training
DEEDI	Department of Employment, Economic Development and Innovation	RCABs	Registering Course Accrediting Bodies
DELTA	Direct Entry Level Training Administration	RME	Registration Management Entity
DET	Department of Education and Training	RPL	Recognition of Prior Learning
eDRMS	Electronic Document and Records Management System	RTO	Registered training organisation
FIR	First Impressions Resources	SATS	School-based apprentices and trainees
FWA	Fair Work Australia	SQ	Skills Queensland
GAGAL	Gladstone Area Group Apprentices Ltd	SRTO	Supervising Registered Training Organisation
GTO	Group training organisation	STA	State Training Authority
IETSO	Indigenous Employment and Training Support officer	TERC	Training and Employment Recognition Council
MCTEE	Ministerial Council for Tertiary Education and Employment	TIQ	Training and International Quality
MCVTE	Ministerial Council on Vocational and Technical Education	TVET	Technical and vocational education and training
		VET	Vocational education and training

# Letter to Minister

*September 2011*

The Honourable Stirling Hinchliffe MP  
Minister for Employment, Skills and Mining  
PO Box 15216  
CITY EAST QLD 4002

Dear Minister

I am pleased to present the Annual Report 2010–2011 for the Training and Employment Recognition Council.

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*.

A checklist outlining the annual reporting requirements can be found at [www.training.qld.gov.au](http://www.training.qld.gov.au).

Yours sincerely



Barry Nutter  
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30 Mary Street  
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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 Government's Smart Ambition, Smart Queensland: Target 2 Three out of four Queenslanders will hold a trade, training or tertiary qualification by 2020 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 (DET) office, six regional and 20 district 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 bodies on their use of delegated powers.

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



## Chair's report

On 1 January 2011, the Queensland Government established Skills Queensland with the role of advising and making recommendations to the Minister on skills and workforce development in Queensland and any matters incidental to those functions. These included the delivery of quality vocational education and training (VET) and a plan promoting and encouraging industry investment in training.

The establishment of Skills Queensland coupled with the creation of the National Regulator for the national registration of registered training organisations (RTOs) will lead to a diminished role for the Training and Employment Recognition Council (the Council) and the probable transfer of the Council's remaining functions to Skills Queensland.

Foreshadowed in the 2009–10 annual report was the establishment of a National Standards Authority and a National VET Regulator. In December 2009, Council of Australian Governments (COAG) agreed to establish a new Standards Council. The National Standards Authority was created to develop and maintain national standards for VET regulation

including standards for the regulation of RTOs, training packages and accredited courses. It will make recommendations about the standards for regulating VET to the Ministerial Council for Tertiary Education and Employment (MCTEE) and will provide advice on the implementation and interpretation of the standards to the National Regulator who will implement the approved standards.

The legislation establishing the National Regulator was passed by the Commonwealth Government on 23 March 2011 with New South Wales, the Australian Capital Territory and the Northern Territory transferring to the National Regulator on 1 July 2011. Other participating states (this excludes Victoria and Western Australia) will progressively transfer later in 2011 or early 2012. It is expected that in Queensland the referral legislation and the legislation amending the *Vocational Education, Training and Employment Act 2000* will be introduced towards the end of 2011.

The National Standards Authority along with the National VET Regulator, Australian Skills Quality Authority (ASQA) will come into effect 1 July 2011.

During the year Fair Work Australia (FWA) announced a formal review of the wages and entitlements of apprentices and trainees. The Council made formal submissions in October 2010 to Fair Work Australia in respect to a number of core principle apprentice conditions that are not addressed in many of the modern FWA awards.

These include:

- competency based wage progression
- recognition of prevocational training for wage or apprenticeship duration purposes
- payment of wages whilst attending training
- adult apprentice rates of pay and
- provision of tool allowances.

A suggested model clause was also included with our submission.

A statement from the President, FWA on 31 January 2011 referred to the possibility of a broad review of wages and conditions for employees to whom training arrangements apply. This statement is not definitive and somewhat disappointing after the initial announcement of the review.

In June I received further advice that modern awards are to be reviewed as soon as practicable after 1 January 2012, a requirement arising from the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*. In light of the Australian Government's "Apprenticeships for the 21<sup>st</sup> Century" expert panel's final report, and its strong support for a national review of apprentice and trainee wages and conditions, it is envisaged that the Council or its successor will again have the opportunity to advocate the need for a fair and balanced apprenticeship system through either the 2012 review of modern awards or a dedicated apprentice and trainee review.

The Council is pleased to note that a number of issues raised in the "*Consultations on training in indigenous communities*" report have now been finalised and in many cases implemented. These include:

- development of Community Training Plans
- recognition of Prior Learning (RPL)
- a central repository of information where funds can be accessed for training and skills development
- use of TAFE facilities on Thursday Island.

However, concern was still expressed over a perceived lack of consultation and communication between the Mayors of Torres Strait Islands and DET. As a consequence a letter was written to the Regional Director proposing the instigation of quarterly meetings between his office and the Mayors on apprenticeship and training issues.

The Regional Director responded that a regular schedule of visits to the Torres Strait had been implemented to support apprentices to complete their training. This is in conjunction with pastoral support provided by Indigenous Employment and Training Support officers (IETSO) of the Department of Employment, Economic Development and Innovation (DEEDI). Additionally, a communication protocol is now in place which enables councils within the Torres Strait and Northern Peninsula area to have one point of contact within the Far North Queensland office to support apprentices.

Also arrangements have now been developed to facilitate direct consultation on training and skills issues with the Mayors within these communities with personal representations to the Mayors to enable them to be fully informed of the local arrangements in place and provide input into any future training plans within their region.

With the establishment of the (federal) Trade Training Centre and Schools program Queensland schools or school clusters could access up to \$1.5million in funding with a high priority for Certificate III in trade areas. For participating students a potential problem arose relating to the salary level. Students under the award who could complete 25 per cent or 50 per cent of the competencies of the trade qualification would need to be appointed at second and third year salary levels when commencing employment.

In many cases there was no requirement in the training package for workplace experience. As a consequence the students with little or no workplace experience could potentially become unemployable.

The Council has taken appropriate action to minimise the chance of this occurring by excluding trade qualifications from the approved expanded scope of qualifications given to the Queensland Studies Authority (QSA) under delegation of the Council.

In addition the Council has written to the relevant "Industry Skills Councils" proposing that the training package include mandatory vocational placement or workplace experience.

In 2010–11, the Council approved three group training organisation (GTO) applications with one GTO relinquishing their registration to apply for principal employer organisation (PEO) status which was approved. GTOs play an important role in Queensland, employing apprentices and trainees. In 2010–11, GTOs in Queensland had approximately 7720 apprentices and trainees in training.

In 2009–10 Council actively supported a number of pre apprenticeship courses. This year Council approved a Culinary Career Start institutionalised pre apprenticeship course with duration of 30 months for an apprenticeship, after completion of the pre apprenticeship course. The course was supported both by industry and unions.

During the year I attended meetings of the:

- Chairs of State Training Authorities (STAs)
- Registering Course Accrediting Bodies (RCABs)
- Skills Australia
- National Identity Security Strategy (NISS) Committee in relation to the Australian Quality Training Framework (AQTF) with the interim National Regulator to discuss major issues effecting Queensland.

These meetings were useful both in exchanging information and promoting the Queensland position.

There was an expiration of term for Council member Elena Itsikson in August 2010. Elena's firsthand involvement in school based apprentices and trainees enabled excellent contribution to matters before the Council.

Council member Kathleen Newcombe secured a role as General Manager of MEGT Education Group in January 2011 and therefore resigned her position on Council. In her new role Kathleen will remain an active member of the VET community working towards providing skilled workers in the State of Queensland.

I would also like to congratulate Andrew Dettmer, a member of the Council since May 2008, on his appointment to the board of Skills Queensland.

I would like to acknowledge the significant contribution made by members of the Council this year.

On behalf of the Council I also wish to thank officers of DET 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 Employment, Skills and Mining under the *Vocational Education, Training and Employment Act 2000* (s170–175)**

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## 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 was the recipient of a Public Service Medal granted 26 January 2011 for outstanding public service to education and training in Queensland, particularly as Chair of the Training and Employment Recognition Council.

Barry attended as Chair the meetings of the Council, Registration Management Entity and Apprenticeship Structures Committee. His term expires 30/06/2012.

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## 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 23 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.

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## Derek Broanda



Derek is an Industrial Advocate for the Australian Workers' Union (AWU) 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 was an alternate attendee for Sue Freeman on meetings of the Registration Management Entity. His term expires 30/06/2012.

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## 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 15 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 the 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 30/06/2012.

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## 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 03/12/2011.

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### Andrew Dettmer



Andrew is State Secretary of the Australian Manufacturing Workers' Union (AMWU), 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, SkillsTech Australia and Skills Queensland.

Andrew attended meetings of the Council and Apprenticeship Structures Committee. His term expires 30/06/2012.

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### 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 30/06/2012.

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### 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 throughout Queensland. 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 30/06/2012.

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### Paul Reardon



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

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 30/06/2012.

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### 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 30/06/2012.

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### 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 30/06/2012.

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### Chris Rodwell

Chris served on the Council until 27 July 2010.

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### Elena Itsikson

Elena served on the Council until 29 August 2010.

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### Kathleen Newcombe

Kathleen served on the Council until 27 January 2011.

# Highlights

## Pre apprenticeship Skilling Pathway

To help mitigate the declining numbers of apprenticeships, the Queensland Government through the Department, worked with industry partners to develop a formal preparatory training program to support the apprenticeship pathway and improve the skills base and employability of prospective apprentices.

The pre-apprenticeship skilling pathway differs from existing pre-vocational programs by maximising the involvement of employers in the program through work specific placements, and by delivering employability and 'green skills' to participants.

On 6 October 2009, the Council approved the framework for the pre-apprenticeship skilling pathway model, based on the following principles:

- endorsed and led by industry
- customised framework to meet the unique skilling needs of individual industry sectors
- flexible entry and exit points for training participants
- workplace assessment processes and simulated work environments.

Since the inception of the initiative to 30 June 2011, 612 students have transitioned to apprenticeships through models approved by the Council in engineering and manufacturing, construction, electro-technology, automotive, printing, and culinary career start.

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

Departmental officers actively participated in the national FWA proceedings examining apprentice and trainee training and employment conditions within the new modern award system. Queensland's industrial relations arrangements 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, tool entitlements for apprentices and other provisions that encourage employer and apprentice participation.

Despite Australian Government legislation which preserves the Order for Queensland workplaces and their apprentices and trainees, it remains important to continue to work nationally in attempts to improve the national industrial system. Submissions to FWA during the year continued to advocate the need for a fair and balanced system in support of apprentices and trainees.

The President of FWA, in response to correspondence from the Council, has indicated that it intends to conduct a broad national review of wages and conditions of employment for this critical cohort of employees early in 2012. The Council, in conjunction with the Department, will continue to be involved in this important process.

## School-based apprentices and trainees

School-based apprenticeship and traineeship (SAT) commencements have made a significant contribution to commencements levels over recent years, with strong support from school sectors. For the 2010–11 financial year school-based apprentice and trainee commencements were 9192 compared to 7927 for the 2009–10 financial year. There were 6723 school-based trainees and 2469 school-based apprentices in training. This represents an increase of 16 percent in the number of school-based commencements compared with the previous 12 months.

Contributing factors for the increase in commencements this financial year were the introduction of the 2010–15 User Choice policy increasing the number of funded User Choice providers in the SATs market and students undertaking VET whilst in school earn credit points

towards obtaining their Queensland Certificate of Education (QCE).

In general, school-based apprentices are limited to completing no more than one-third of their college training whilst under SAT arrangements; although some trade training centres have been permitted by the Council to exceed this restriction due to the nature of the program they provide. During the 2010–2011 financial year an additional five school-based apprentices undertaking their training with other providers were approved by the Council to exceed this one-third constraint.

The success of the SAT program continues across the state in both state and non-state schools. This success is influenced by the high level of commitment to the program across stakeholder groups and regional strategies implemented to improve stakeholder relationships and increase SAT participation.

### Group training organisations and principal employer organisations

During 2010–2011, the Council continued its role in the recognition of group training organisations (GTOs) and principal employer organisations (PEOs).

Three GTOs, including one that was previously recognised as a PEO and one new principal employer organisation, have been approved in 2010–2011.

In 2010–11, GTOs employed 7720 apprentices and trainees in Queensland. This would indicate that even with the effects of the global financial crisis, Queensland continues to have a robust group training market.

As a result of the global economic downturn, DET aligned GTO funding arrangements to target state priorities and stimulate employment opportunities. In conjunction with the Group Training Association Queensland and Northern Territory, a Funding Committee was established comprising of the Association Executive Officer and Chair, a representative group of GTO and DET representatives.

The Funding Committee has established a new funding model for 2011–2012 which will reward growth in the market aligned to state priorities through a weighting system. Consultations with all GTOs have been positive with overall acceptance of the model as being fair, transparent and sustainable.

DET is currently working with GTOs to develop innovative workforce development solutions to address the challenges of the resources sector. In Queensland, resources sector activity occurs mostly in the state's regional and remote areas which positions GTOs as a valued partner in addressing skill needs and flexible employment arrangements.

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

The purpose of the strategy is to increase retention and completion of apprentices by providing support and education to employers and apprentices.

This is done through:

- targeted workplace visits
- identification of issues affecting apprentices and employers
- follow up activities to rectify the identified issues and stakeholder engagement activities.

The targeted workplace visits are designed to provide information about competency based training and progression, education about the training system and improve communication between workplaces and training providers when required. Training Queensland regional staff visit over 5000 individual workplaces every year and conduct follow up activities with employers, apprentices, Supervising Registered Training Organisations (SRTO) and other key stakeholders as required under delegation of the Council.

The activities associated with the Apprentice Retention and Completion Strategy:

- Visit a minimum of 10 000 apprentices per year within identified cohorts
- Identify issues affecting apprentice progression, retention and/or completion
- Follow up individual training contracts identified as requiring additional support
- Conduct stakeholder engagement activities designed to:
  1. provide feedback about issues identified during workplace visits
  2. resolve issues identified during workplace visits
  3. gather industry input in addressing the issues identified.

To date as part of the Apprentice Retention and Completion Strategy the regions have conducted visits with over 40 000 apprentices and have provided follow up assistance to over 10 000 of the apprentices visited. The initial results from the visits show an improved completion rate for those apprentices who receive a visit within 12 months of their commencement date.

### Technical and Vocational Education Training (TVET) Australia

As part of the reforms of the national training system, the former Ministerial Council on Vocational and Technical Education (MCVTE) agreed to establish a national regulatory function within TVET Australia for multi-jurisdictional RTOs. The National Audit and Registration Agency (NARA) established within TVET Australia, manages this function.

To facilitate this national regulatory function, 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.

Due to the establishment of the Australian Skills Quality Authority (ASQA) as the national VET regulator on 1 July 2011 and the decision of the

ministerial council to wind up TVET Australia in the latter part of 2011, NARA has now ceased operations and the regulation of 24 RTOs was passed back to DET on 24 June 2011. The Council delegation held by TVET Australia was rescinded effective 5:00pm, 30 June 2011.

### Risk management approach to RTO regulation

DET continues to apply a risk management approach toward the objective of 'minimum regulatory intervention'. Under the model, a low risk rating for an RTO leads to a lower level of intervention and faster processing of applications.

The revised AQTF framework necessitated a review of the department's risk assessment and management model in August 2010. While the revised model is reflective of the stronger approach incorporated in the revised AQTF standards, the 'minimum regulatory intervention' model continues to be applied.

### Registration and audit of RTOs

During 2010–11 the number of RTOs increased from 1445 in 2009–10 to 1485. This represents an increase of 2.8 per cent 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, 1300 applications for registration (e.g. initial, renewal, extension to scope etc) were approved. Of these, 112 were from new training organisations seeking registration. Registration growth was highest in the industry areas of business, general education and training, transport and warehousing, building and construction and community services.

There were 598 compliance audits conducted on 458 RTOs or applicant training organisations. Of these audits, the majority resulted in non-compliances against one or more requirements of the AQTF. While

the majority of non-compliances were rectified within a set rectification period, the findings of 24 audits were forwarded to the Registration Management Entity (RME) for further consideration. In addition, 23 RTOs were referred to the RME for other matters such as financial failure of the business. As a consequence:

- 35 organisations achieved compliance
- 7 organisations voluntarily cancelled all or part of their scope of registration
- 3 extension to scope applications were refused
- 2 organisations' registration was suspended in part or wholly
- 2 initial registration applications were refused
- 1 organisation had part of its scope of registration cancelled
- 5 organisations had their registration as an RTO cancelled
- 7 organisations have matters ongoing with the RME.

Note: some RTOs may have outcomes that fall into more than one of the above categories.

The Council continued to support the integration, where possible, of AQTF and User Choice contract compliance audits to minimise disruption to a RTOs business activities.

With continued growth of Queensland's VET sector, it is expected that there will be increases in the number of organisations seeking to become RTOs and of RTOs seeking to extend their scope of registration. This growth will result in the number of audits conducted on existing and future RTOs continuing to rise.

### Educational activities

In 2010–11 Training and International Quality (TIQ), a division within DET, delivered a program of 60 workshops and information sessions. These were attended by 753 people, representing RTOs, applicant training organisations and other interested stakeholders.

The program is designed to provide current information and advice to support the capability of RTOs, course 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 *AQTF and the Vocational Education, Training and Employment Act 2000*. This program is expected to reduce towards the end of 2011 in anticipation of Queensland referring its regulatory powers of VET to the Commonwealth in early 2012.

### Strengthening of the AQTF

In November 2009 the Council of Australian Government (COAG) endorsed changes to the AQTF framework in response to emerging issues in the VET sector. These changes (with some amendments to clarify the intent of the changes) were endorsed by the Ministerial Council for Tertiary Education and Employment (MCTEE) for implementation from 1 July 2010.

Significant changes to departmental processes were made to ensure requirements for initial registration and renewal of registration are met. Further minor changes to the AQTF to improve the protection of student fees will come into effect on 1 July 2011.

### Queensland Studies Authority

On 12 April 2011 the Council amended the delegation to the Queensland Studies Authority (QSA) to allow that body to register school RTOs for qualifications up to Australian Qualifications Framework (AQF) level IV, with the exception of any qualifications declared as an apprenticeship by the Council in Queensland. The delegation previously limited QSA's authority to qualifications up to AQF level II, plus AQF level III for information technology courses.

### Prosecutions and 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 (QIRC).

These decisions are made by officers of DET under delegation from the Council.

Six appeals were lodged against those decisions. These 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 in reaching their decisions.

All officers appointed to positions with delegations undertake three weeks of intensive training through their attendance at the Queensland Vocational Education and Training (QVET) program. Two QVET programs are delivered annually.

Following a six month mentoring phase within the region, officers undertake assessment in a Recognition of Prior Learning (RPL) format for the Diploma in Government. This RPL involves assessing a range of skills including assessing their ability to provide natural justice, conduct an investigation, gather evidence, make a decision, and write show cause notices and information notices.

A moderation exercise was conducted by the Regional Support Unit, during January to June 2011, to enhance state wide consistency of decisions and improve skills utilised when undertaking delegated activity. The moderation exercise has led to a range of strategies being adopted within the regions to ensure continual improvement and ongoing moderation.

### ***Registered training organisations***

The regulation of VET 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, DET liaises with the Department of Justice and Attorney-General in the conduct of the prosecution. During the past year, one prosecution occurred involving a Queensland RTO which provided sub-standard training and assessment to a number of SAT apprentices. The prosecution, through the Maroochydore Magistrates Court, resulted in a finding of guilty and the imposition of a substantial fine to both the organisation and its Managing Director.

Two RTOs lodged applications with the Queensland Civil and Administrative Tribunal (QCAT) seeking to have decisions of the Council relating to registration reviewed. One of these applications was in response to the cancellation of the registration of an RTO. The Council's decision in this case was upheld. The other matter was related to a decision to deny registration of an organisation as an RTO. This application was withdrawn immediately prior to the hearing.

### **Accreditation of courses**

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 2010–11, accredited courses were developed by both the public and private sector.

Sixty eight courses were accredited in the following industry areas in comparison to 63 in the previous reporting year:

- arts and entertainment – creative, entertainment and general
- business services
- community services
- construction
- engineering – aviation and general
- general education and training
- religion
- health – general
- primary industry – horticulture
- transport and distribution – road and general.

Due to the establishment of Australian Skills Qualification Authority (ASQA) on 1 July 2011 and the fact that ASQA will manage national course accreditation activities from its Brisbane office, the Council has provided delegation to ASQA to manage this activity for Queensland from 1 July 2011. Departmental officers are to be seconded to ASQA to undertake this work.

## Training and Employment Recognition Council 2010-11 table of attendance

Member	3 August 2010	5 October 2010	7 December 2010	1 February 2011	12 April 2011	7 June 2011
Barry Nutter (Chair)	✓	✓	✓	✓	✓	✓
Derek Broanda	✓	✓	✓	✓	✓	
Robert Cameron	✓	✓		✓	✓	✓
Graham Cuthbert	✓	✓	✓			✓
Andrew Dettmer	✓		✓	✓	✓	
Sue Freeman	✓	✓		✓	✓	
Kaylene Harth	✓		✓	✓	✓	✓
Elena Itsikson	✓	Term expired 29 August 2010				
Vivienne Mallinson	✓	✓	✓	✓	✓	✓
Kathleen Newcombe			✓	Resigned 27 January 2011		
Paul Reardon	✓	✓	✓		✓	✓
Chris Rodwell	Resigned 27 July 2010					
Chris Thiesfield		✓		✓		✓
Kerry Whitaker	✓	✓	✓	✓	✓	✓

<p>Number of meetings held during 2010-11:</p> <ul style="list-style-type: none"> <li>▪ Training and Employment Recognition Council 6</li> <li>▪ Registration Management Entity 14</li> <li>▪ Apprenticeship Structures Meeting 3</li> </ul>	<p>The Council is supported by the:</p> <ul style="list-style-type: none"> <li>▪ Manager, Training Secretariat</li> <li>▪ Executive Officer, Training and Employment Recognition Council and</li> <li>▪ Assistant Executive Officer, Registration Management Entity.</li> </ul>
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## 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 2010–11 financial year totalled \$104 948.92.

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

The Council has not undertaken any consultancies or overseas travel in 2010–11.

## 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 DET. The Department applies whole-of-government information policies and standards.

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 2010–11, the Department continued to implement standardised document and records management tools, systems and processes.

## Carers (Recognition) Act 2008

The Council is supported in its day to day operation by DET 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 DET websites (internet/intranet).

The DET HR policies provide flexible work arrangements to assist carers meet their

commitments, such as part time work arrangements, carer leave entitlements. These policies are accessible by departmental staff that support the Council.

The Council information is accessible to the public through the DET website [www.training.qld.gov.au](http://www.training.qld.gov.au)

The Council is not required to have input into strategic policy and planning decisions made by DET.

# Appendix 1

## Regional use of delegations

For the period of 1 July 2010 to 30 June 2011

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	7486	5836	3469	22 246	11 573	5206	15 254	71 070
*TERC 1(b) Refusal to register a training contract	58	41	31	224	118	29	120	446
TERC 2 Late lodgement of a training contract	532	363	398	1901	737	696	1222	5849
*TERC 3 Amendment to a registered training contract	1230	949	507	4211	1812	858	2416	11 983
*TERC 5 Cancellation of a training contract by a party	11	2	1	559	36	20	424	1053
TERC 6 Cancellation for serious misconduct	0	1	2	2	1	2	2	10
TERC 7 Discipline and imposition of penalties	3	3	3	10	26	8	81	134
TERC 8 Cancelling registration of training contracts	111	4	4	60	246	21	235	681
TERC 9 Council's power to reinstate a training contract after cancellation	2	0	0	0	2	2	1	7
TERC 10 Extension or reduction of probationary period	85	168	6	80	35	39	150	563
*TERC 11 Extension to nominal term	790	609	341	1606	842	437	1060	5685
TERC 13 Ratio of apprentices to tradespersons/trainees to qualified persons	0	0	0	0	0	0	0	0
TERC 16 Temporary stand down	67	36	45	219	264	69	374	1074
*TERC 17 Issuing of certificate of completion	3831	3487	1897	11 290	6534	2642	7480	37 161
TERC 18 Cancelling certificate of completion	1	0	0	0	0	0	0	1
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.

\*TERC 3 The data script used to extract the Amendment numbers for November-December has been updated to reflect only contracts currently active as opposed to previous data reflecting amendments to all contracts. This will therefore decrease the total numbers across the regions.

## Appendix 2

### Other delegations exercised

Delegation	Number of times exercised by delegates	
TERC 22	Recognition of Vocational Placement Schemes	158
TERC 23(a & b)	Registration of training organisations: <ul style="list-style-type: none"> <li>▪ initial registrations</li> <li>▪ renewal of registrations</li> <li>▪ amendments to scopes of registrations</li> </ul>	102 RTOs 115 RTOs 1083 RTO
TERC 24	Accreditation of courses: <ul style="list-style-type: none"> <li>▪ accreditation and re accreditation of courses</li> </ul>	68
TERC 28	Declaring apprenticeships or traineeships	66
TERC 39	Queensland Studies Authority: <ul style="list-style-type: none"> <li>▪ Applications for registration (including initial, extension and renewal)</li> </ul>	149 Schools/295 Qualifications
TERC 45	Approving amendments to scope of registration: <ul style="list-style-type: none"> <li>▪ Queensland TAFE institutes</li> </ul>	12 RTOs/332 Qualifications

