

ELECTRONIC VERSION

**NEW DIRECTIONS IN VOCATIONAL EDUCATION
AND TRAINING FOR QUEENSLAND**

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ABSTRACT

Recent studies have confirmed that an efficient and effective training sector promotes economic growth. The Federal Government has embarked on a series of initiatives designed to develop a more competitive training market. These initiatives include the National Training Framework, New Apprenticeships and User Choice funding arrangements. The National Training Framework incorporates Training Packages and the National Recognition Framework which are aimed at ensuring an integrated approach to Vocational Education and Training (VET) throughout Australia. This Bulletin discusses these initiatives.

Both the June 1996 Report of the Queensland Commission of Audit and the report of Professor Wiltshire Factors Affecting the Training Market in Queensland (the Wiltshire Report) emphasised the need to develop a training culture in Queensland. In November 1997, the Queensland Government released a Consultation Draft of proposed new VET legislation for Queensland. Consistent with the Federal Government initiatives, the recommendations of the June 1996 Report of the Queensland Commission of Audit and the Wiltshire Report, the proposed Queensland legislation aims to encourage industry to drive the demand for VET thus making the sector more relevant for industry. The draft legislation contains provisions to facilitate the implementation of a more flexible approach to the provision of VET and a reduction in the bureaucracy currently found in the VET sector. The proposed legislative provisions dealing with TAFE institutes are contained in a separate draft TAFE Institutes Bill 1997 (Qld). The principal aspects of both the draft Vocational Education and Training Bill 1997 (Qld) and the draft TAFE Institutes Bill 1997 (Qld) are considered in this Bulletin.

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1. BACKGROUND

Vocational Education and Training (VET) has been defined as that part of the education system which provides individuals with the skills and learning expressly required by enterprises and industry.¹ The sector delivers services in two main areas, entry level training and workforce training, as well as through labour market programs variously targeted at the unemployed and other special groups.² Training may include some general education and may take place on or off the job. Statistics cited in the June 1996 *Report of the Queensland Commission of Audit* indicated that Technical and Further Education (TAFE) is the main provider of training in Australia with approximately 45% of training by dollar value. The enterprise sector provides 32% of the training and the remaining 23% of training is provided by a range of commercial industry-based, community and adult education centres.³ In an address to the *Annual Conference of the Australian Council for Private Education and Training* in Sydney in June 1997, the Hon Dr David Kemp MP, Federal Minister for Schools, Vocational Education and Training stated that:

*Training is provided by 2500 registered private training providers and some 84 TAFE institutes (many with several campuses) around Australia. TAFE supplies 85 per cent of publicly funded training, with the market share of private providers now 15 per cent. ...*⁴

Over 10 per cent of the population aged 15-64 years undertook a VET course during 1996.⁵ A table representing the participation rates in VET throughout Australia is contained in **Appendix A** to this **Bulletin**.

¹ The Allen Consulting Group, *Successful Reform: Competitive Skills for Australians and Australian Enterprises*, June 1994, cited in V W Fitzgerald, J Carmichael, D D McDonough and B Thornton, *Report of the Queensland Commission of Audit*, Volume II, June 1996, p 85.

² *Report of the Queensland Commission of Audit*, Volume II, p 85.

³ *Report of the Queensland Commission of Audit*, Volume II, p 87.

⁴ Hon Dr David Kemp MP, 'Government Initiatives for a Competitive Vocational Education and Training Sector', Opening Address to the *Annual Conference of the Australian Council for Private Education and Training*, Sydney, 20 June 1997, Internet Article, <http://www.deetya.gov.au/minwn/kemp/ks20697.htm>, p 2.

⁵ National Centre for Vocational Education Research Ltd, *Submission to the House of Representatives Standing Committee on Employment, Education and Training on the Appropriate Roles of Institutes of Technical and Further Education*, 1997, Internet Article, <http://www.aph.gov.au/house/committe/eet/tafes/subs/SUB49~1.htm>, p 1.

1.1 RESPONSIBILITY FOR VOCATIONAL TRAINING

The Queensland Government has a constitutional responsibility for education at all levels. The States have traditionally provided recurrent funding for vocational education and training while the Commonwealth provided capital assistance. Recent expansion of the Commonwealth role in higher education funding means that the Commonwealth now provides increasing financial resources for recurrent and growth funds through resource agreements.

The Australian National Training Authority (ANTA) is Australia's peak vocational training policy and fund allocation body. ANTA was established under the *Australian National Training Authority Act 1992* (Cth) following an agreement by Heads of Government to establish a national focus for vocational education training with strong industry input (the ANTA Agreement).⁶ ANTA's purpose is described in its 1996-97 *Annual Performance Report* as having responsibility for:

*... the development of, and advice on, national policy, goals and objectives and a national strategic plan for VET for endorsement by the Ministerial Council ... for advising the Ministerial Council on the allocation of funds for vocational education and training ... to improve VET opportunities for all, consistently throughout Australia; and to ensure training is more responsive to industry and enterprises.*⁷

The main aims in establishing the ANTA were to promote:

- *a national vocational education and training system, with agreed objectives and priorities, assured funding arrangements, consistent national strategies and a network of providers delivering high quality, nationally recognised programs at the State and local level;*
- *close interaction between industry and vocational education and training providers, to ensure that the training system operates within a strategic plan that reflects industry's needs and priorities;*
- *an effective training market, with public and private provision of both high level, advanced technical training and further education opportunities for the workforce and for the community generally;*
- *an efficient and productive network of publicly funded providers that can compete effectively in the training market;*
- *increased opportunities and improved outcomes for individuals and target groups, including school leavers, to enhance their employment outcomes; and*

⁶ Australian National Training Authority, *Annual Performance Report 1996-97*, ANTA, Brisbane, 1997, p 8. See *Australian National Training Authority Act 1992* (Cth), ss 5 and 6.

⁷ Australian National Training Authority, *Annual Performance Report 1996-97*, p 8. The functions of ANTA are set out in the *Australian National Training Authority Act 1992* (Cth), s 6.

- *improved cross cultural links between schools, higher education and vocational education and training.*⁸

A Ministerial Council has been established in accordance with the ANTA agreement. It comprises one Minister from each State and Territory and the Commonwealth responsible for VET. The Ministerial Council has responsibility for decisions on strategic policy, national objectives and priorities, and oversees ANTA.⁹ The Ministerial Council's functions include determining a National Strategic Plan on Training Policy based on advice from ANTA and determining principles to be applied for the allocation of funding between States and for any national programs.¹⁰ The Queensland Minister for Training and Industrial Relations has responsibility for the State Government's purchase of training services and for the allocation of resources which come from the Commonwealth under the ANTA Agreement.¹¹

1.2 TRAINING PROFILE

Under the ANTA Agreement, the State and Territory training authorities are required to prepare a Training Profile (the Profile) each year that outlines the training activities to which the State/Territory and Commonwealth funds will be applied in the following year.¹² The Profile is a strategic plan for the provision and support of vocational education and training in terms of level and type of courses provided, opportunities for special needs groups and infrastructure development. The Profile aims to meet current and future skill requirements of industries and enterprises statewide and identifies priorities for particular industries for both new entrant level training and training for the existing workforce.¹³ The demand for training services is currently identified through the planning process producing the Profile.

1.3 THE ROLE OF VETEC IN QUEENSLAND

In Queensland, the Minister receives advice on the Profile from the **Vocational Education Training and Employment Commission (VETEC)**. VETEC is a

⁸ *Australian National Training Authority Act 1992 (Cth)*, Schedule, 'A National Vocational Education and Training System', paragraph 1.

⁹ *Australian National Training Authority Act 1992 (Cth)*, Schedule, paragraphs 2, 4, 5 and 6.

¹⁰ *Australian National Training Authority Act 1992 (Cth)*, Schedule, paragraph 6.

¹¹ *Report of the Queensland Commission of Audit*, Volume II, p 55.

¹² *Australian National Training Authority Act 1992 (Cth)*, Schedule, paragraph 11.

¹³ *Report of the Queensland Commission of Audit*, Volume II, p 104.

statutory authority with responsibility for strategic policy advice on the training market, employment and the allocation of resources to training activities.¹⁴ These responsibilities include determining policy in relation to the following:

- regulation of training, including apprenticeship, traineeship and other training systems;¹⁵
- accreditation of vocational education and training courses;¹⁶
- recognition of training programs and short courses;¹⁷ and
- registration of the providers of accredited training courses.¹⁸

VETEC's functions include advising ANTA about:

- the development of vocational education and training policy;
- the development of the National Strategic Plan; and
- the vocational education and training needs of the State.¹⁹

1.4 REPORT OF THE QUEENSLAND COMMISSION OF AUDIT

A strong VET sector can drive economic growth. In the June 1996 *Report of the Queensland Commission of Audit*, it was stated that:

There is considerable empirical evidence that the policies that have proved most effective in building strong and sustainable economies include efficient and effective provision of education and training. In the last decade, the development of a better understanding of the drivers of economic growth has become known as the 'new growth theory'. The implications of new growth theory have recently been considered by the Economic Planning Advisory Commission.²⁰ The theory suggests that certain types of investment will generate more spillover benefits for society than others. The types of investment suggested as possible sources of growth include investments in plant and equipment, public infrastructure, research and development and human capital. There appears to be general agreement that the rate of return on research and development is high and that skills acquired through education will add to the human capital stock and enhance economic growth. ... economic success will in large part be linked to the

¹⁴ *Vocational Education, Training and Employment Act 1991* (Qld), ss 6 and 9.

¹⁵ *Vocational Education, Training and Employment Act 1991* (Qld), s 9(c).

¹⁶ *Vocational Education, Training and Employment Act 1991* (Qld), s 9(d)(i).

¹⁷ *Vocational Education, Training and Employment Act 1991* (Qld), s 9(d)(ii).

¹⁸ *Vocational Education, Training and Employment Act 1991* (Qld), s 9(d)(iii).

¹⁹ *Vocational Education, Training and Employment Act 1991* (Qld), s 10(2)(a).

²⁰ This is footnote "1" in **Chapter 10** of the *Report of the Queensland Commission of Audit*, Volume II. The text of that footnote is: "Economic Planning Advisory Commission (1995), *Investment and Economic Growth*, Commission Paper No 9."

*quality, extent and relevance of education and training in an economy, and to a framework which allows firms and individuals to make the best use of available knowledge and skills.*²¹

The June 1996 *Report of the Queensland Commission of Audit* recommended that planning processes be developed that focus on outcomes required in terms of the level of qualifications in the Queensland workforce on an industry basis.²² Other recommendations relating to vocational training included:

- increasing the proportion of public funds for training which is subject to competitive tender in a planned way, taking account of fields of study and location needs, with maximum expansion of the role of user choice;
- increasing user contributions from enterprises including through pricing and delivery mechanisms which present stronger incentives to pay for improved services;
- funding trainers on the basis of output measures specified in resource or service agreements;
- implementing changes to deliver productivity improvement through appropriate industrial relations agreements and third party access regimes in a more open and competitive training market.²³

In relation to government service delivery, the June 1996 *Report of the Queensland Commission of Audit* endorsed the following principles:

- *that government should clearly distinguish and separate its role as purchaser of services, on behalf of the wider community, from the roles of the various agencies within the public sector (or outside it) in actually providing those services;*
- *that, in seeking to achieve efficiency, government should, as far as possible, shift from traditional budget funding, based on input costs ('line items'), to funding on the basis of outputs;*
- *that planning, budgeting, resource management and reporting should all be on a fully transparent, comprehensive accrual accounting basis, encompassing all of the resources used in producing each service output; and*
- *that government services be provided to the greatest extent feasible and appropriate within a competitive framework, with expected performance in delivering service outputs spelt out in contracts or services agreements, which also specify funding.*²⁴

It is not necessary for government to provide services directly to fulfil a commitment to ensure that those services are made available to the community.²⁵ In

²¹ *Report of the Queensland Commission of Audit*, Volume II, pp 54-55.

²² *Report of the Queensland Commission of Audit*, Volume II, p 103.

²³ *Report of the Queensland Commission of Audit*, Volume II, p 111.

²⁴ *Report of the Queensland Commission of Audit*, Volume I, pp 5-6.

²⁵ *Report of the Queensland Commission of Audit*, Volume I, p 20.

some circumstances it can be appropriate for the government to ensure delivery of a service to the community by purchasing the service on behalf of the community, without owning the infrastructure and the production processes required to provide the services.²⁶ The philosophy outlined by the Commission of Audit in Volume I of its June 1996 Report is in keeping with making the distinction between the roles of government, as purchaser of services and as provider of services, a key principle in the reform of service delivery by the government. The recommendations of the Commission of Audit included that the Queensland Government adopt the broad philosophy promoted by the public sector reform movement that has been gaining international momentum since the mid 1980s that:

- *as a general rule, unless there are other considerations (eg social values or natural monopoly), efficiency will be maximised by limiting the government's role to that of a purchaser of services on behalf of the community or, preferably, to facilitate the exercise of choice over service levels and quality by members of the community themselves;*
- *whether or not acting as a provider itself, through its own agencies, government should clearly separate and distinguish its role as purchaser from its role as provider;*
- *whether purchasing services directly for the community or services for itself, government should only provide funding against outputs or results, not inputs;*
- *the management process at every level should account for all resources used in producing each service output; and*
- *there is a critical need, in order to make the achievement of efficiencies an ongoing process, to impose the strongest feasible framework of competition and accountability.²⁷*

In Queensland, while the main Government VET provider is TAFE Queensland, publicly funded training is also carried out by agricultural colleges and secondary schools. Details on the provision of vocational education throughout Australia over the period 1994 to 1996 are contained in **Appendix B** to this **Bulletin**. The main purchasers of VET services are State Government, the Commonwealth Government, enterprises and individuals.²⁸

1.5 THE REPORT OF PROFESSOR WILTSHIRE ON THE FACTORS AFFECTING THE TRAINING MARKET IN QUEENSLAND

In August 1996, the Minister for Training and Industrial Relations commissioned a report on the future development of the Queensland training market. Professor

²⁶ *Report of the Queensland Commission of Audit, Volume I, p 20.*

²⁷ *Report of the Queensland Commission of Audit, Volume I, p 10.*

²⁸ *Report of the Queensland Commission of Audit, Volume II, p 85.*

Kenneth Wiltshire, J D Story Professor of Public Administration, University of Queensland, was appointed to consult with training providers on issues and concerns regarding the training market. The resulting report, *Factors Affecting the Training Market in Queensland* (the Wiltshire Report) contained a number of proposals including recommendations that action should be taken to:

- develop a stronger training culture in Queensland where industry would play a larger role in driving the demand for training;
- provide greater access to information of the VET sector;
- increase awareness and understanding of the State Training Profile; and
- improve the competitive tendering process for provision of VET services.²⁹

The Wiltshire Report endorsed the findings of the June 1996 State Commission of Audit and supported the call for more resources to be devoted to training in Queensland, enhancement of the State's skills base and an increase in State funding for the VET sector.³⁰ Included in its vision for the future of the VET sector, the Wiltshire Report called for less bureaucracy and a less complex system of governance for the industry. It also recommended more information sharing and more transparency so far as the decision making processes are concerned.³¹

2. NATIONAL DEVELOPMENTS

In his opening address to the Annual Conference of the Australian Council for Private Education and Training at Sydney on 20 June 1997, the Hon Dr David Kemp MP, Federal Minister for Schools, Vocational Education and Training, outlined the Federal Government's vision for the future of VET in Australia stating that:

*The Government's vision is to create a training system that will help us develop a workforce that is able to adapt flexibly and dynamically to the changes of a highly competitive global economy. We need to develop a workforce with world class skills if Australian firms are to compete effectively in local and international markets.*³²

²⁹ Professor Kenneth Wiltshire, *Factors Affecting the Training Market in Queensland*, The University of Queensland, Brisbane, January 1997, Recommendations 2, 7, 8, 18, pp 3-10.

³⁰ *Factors Affecting the Training Market in Queensland*, p 5.

³¹ *Factors Affecting the Training Market in Queensland*, Recommendation 17, p 8. See also p 45.

³² Kemp, 'Government Initiatives for a Competitive Vocational Education and Training Sector', p 1.

The Hon Dr Kemp MP identified the Federal Government's primary goal as being:

*... to ensure the substantial public and private investment in the Australian training system delivers cost-effective, quality training which is responsive to the needs of clients - business and individual students.*³³

Priorities that the Federal Minister identified for the VET sector included:

- *making training relevant to business including small businesses;*
- *providing more apprenticeship and traineeship training;*
- *ensuring high quality, portable national qualifications; and*
- *making the system accessible and equitable to all groups in the community.*³⁴

At the ANTA training update Seminar in July 1997, the Hon Dr David Kemp MP identified the concept of a quality national training system as the key element in the Commonwealth Government's vision for vocational education and training.³⁵ The Federal Minister stated that:

*The Commonwealth Government is working closely with the States and Territories to develop a more open and competitive training market which is client driven and responsive to the needs of business and industry.*³⁶

Agreement was reached in May 1997, at a meeting of Federal and State Ministers, on a commitment to the implementation of new training arrangements in Australia. Three critical elements, each interlinked with the other, can be identified in these new training arrangements:

- the National Training Framework;
- Training Packages; and
- the Australian Recognition Framework.³⁷

³³ Kemp, 'Government Initiatives for a Competitive Vocational Education and Training Sector', p 2.

³⁴ Kemp, 'Government Initiatives for a Competitive Vocational Education and Training Sector', p 2.

³⁵ Hon Dr David Kemp MP, 'A Changing Vocational Education and Training Landscape: Training Market, User Choice, Flexible Delivery, Future Directions for TAFE', in *ANTA Training Update Seminar*, Australian National Training Authority, Brisbane, July 10 1997, pp 5-13 at p 6.

³⁶ Kemp, 'A Changing Vocational Education and Training Landscape', p 7.

³⁷ Mark Paterson, 'National Training Framework, Training Packages and Australian Recognition Framework', in *ANTA Training Update Seminar*, pp 24-36, at p 24.

2.1 NATIONAL TRAINING FRAMEWORK

The specific objectives of the National Training Framework (NTF) are to ensure a more coherent and integrated national approach to vocational education and training; improved quality for all vocational education and training products and services; and national recognition and portability of those products and services. The NTF defines the relationship between industry bodies, State and Territory training authorities, training organisations and ANTA. The key features of the NTF are:

- endorsed national competency standards;
- national qualifications in line with the Australian Qualifications Framework;
- quality assurance mechanisms, including rigorous audit processes involving industry representation;
- Training Packages based on endorsed competency standards involving industry representation;
- nationally consistent arrangements for registering providers and guaranteeing system quality.³⁸

The new national arrangements will remove unnecessary barriers to entry into the training market and will provide flexibility in the way that training is provided.³⁹ The National Training Framework will allow for the recognition of training, skills and qualifications of students in all States and Territories. Providers of training will only need to register in one State in order to operate in all States and Territories. This will allow more providers into the market and give existing providers greater opportunity to operate across State and Territory borders.⁴⁰

The new National Training Framework incorporates:

- Training Packages; and
- the Australian Recognition Framework (ARF).

³⁸ Australian National Training Authority, *Annual Performance Report 1996-97*, p 25.

³⁹ Kemp, 'Government Initiatives for a Competitive Vocational Education and Training Sector', p 3.

⁴⁰ Kemp, 'Government Initiatives for a Competitive Vocational Education and Training Sector', p 3.

2.2 TRAINING PACKAGES

Training Packages are the resource that a training organisation will use to develop training programs.⁴¹ Training Packages will replace the current competency standards, accredited courses and related VET qualifications.⁴² Training Packages are flexible, national products developed by industry to ensure quality training outcomes and meet vocational skills needs.⁴³ Training Packages integrate nationally available training products, including new assessment arrangements, with competency standards. All Training Packages will identify those qualifications which can be achieved through Training Packages and include both endorsed and non-endorsed components. Endorsement is the formal process of recognition within the Australian Recognition Framework of the endorsable components of a Training Package, carried out by ANTA's National Training Framework Committee (the NTFC). The NTFC is a small business-led committee with membership drawn from employer and employee bodies, and Federal and State and Territory governments.⁴⁴ The endorsed components of a Training Package are:

- (endorsed) competency standards;
- advice on nationally endorsed industry assessment guidelines; and
- (endorsed) national qualifications.⁴⁵

These three core components of Training Packages will be endorsed nationally through the ANTA's National Training Framework Committee (NTFC).⁴⁶ The endorsed components of the Training Packages will identify the benchmarks for the provision of training and for the national recognition of that training.

⁴¹ Australian National Training Authority, *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)*, May 1997, p 15.

⁴² Australian National Training Authority, *The Australian Recognition Framework*, Internet Article, <http://www.anta.gov.au/currissu/ARF.html> (5 pages), 1997, p 1. **Competency Standards** express the specification of knowledge and skill and the application of that knowledge and skill to the standards of performance required in the workplace. Competency standards define the outcomes for training delivery, assessment and the issuance of qualifications under the Australian Recognition Framework.

⁴³ Australian National Training Authority, *Training Packages Under Development*, 8 July 1997, Internet Article, <http://www.anta.gov.au/currissu/packages.html>, p 1.

⁴⁴ Australian National Training Authority, *Training Packages - An Integrated Approach to Flexible Training Delivery*, Brisbane, April 1997, p 1.

⁴⁵ Australian National Training Authority, *The Report of the Industry Reference Group on the Implementation of the Modern Australian Apprenticeship and Traineeship System*, Brisbane, September 1996, p 13.

⁴⁶ ANTA, *Training Packages - An Integrated Approach to Flexible Training Delivery*, p 1.

The non-endorsed components of the Training Packages will provide the tools and the guidance to assist the provision of training in the new arrangements.⁴⁷ The non-endorsed components have three elements, being:

- learning strategies;
- assessment development materials;
- professional development materials.

The Training Packages are not required to contain a centrally prescribed curriculum document although industries may choose to include guidance material for trainers in the non-endorsed learning strategy component.

The Training Packages will give the basic tools to a range of organisations to enable them to develop their own training products and services.⁴⁸ They will contain a range of competency-based training arrangements which can be adapted to the needs of clients. The competency standards are statements about the skills and knowledge that people need to perform their jobs to industry standards. They are not designed to cover details of training that may be needed for people to acquire skills.

A list of Training Packages that have been endorsed or that are under development is contained at **Appendix C** to this Bulletin. Registered providers will be able to draw on these packages to develop training programmes to meet the needs of clients for the award of national qualifications.⁴⁹ It is anticipated that there will be a small number of Training Packages per industry, covering all the vocational training requirements in the industry.⁵⁰ Once the Training Packages have been developed, they will be endorsed by ANTA's National Training Advisory Committee.⁵¹

In the absence of accredited curriculum, new recognition arrangements are being developed as part of the National Training Framework. This will ensure that States and Territories have in place comprehensive and nationally consistent assurance systems to facilitate mutual recognition and the use of Training Packages.⁵²

⁴⁷ ANTA, 'National Training Framework, Training Packages and the Australian Recognition Framework', pp 28-29.

⁴⁸ Hon Bob Charles, MP, *MAATS and the National Training Framework*, in Australian National Training Authority, *Training Together: 2nd National Conference on Vocational Education and Training, Conference Proceedings*, Adelaide 3-5 July 1996, pp 163-173 at p 169.

⁴⁹ Kemp, 'Government Initiatives for a Competitive Vocational Education and Training Sector', p 3.

⁵⁰ ANTA, *Training Packages - An Integrated Approach to Flexible Training Delivery*, p 4.

⁵¹ Australian National Training Authority, 'Vocational Education and Training Update: from a national perspective', *Australian Training Review*, 23 June/July/August 97, pp 30-31, at p 30.

⁵² ANTA, *Training Packages - An Integrated Approach to Flexible Training Delivery*, p 4.

2.3 THE AUSTRALIAN RECOGNITION FRAMEWORK

In May 1997, the Ministers for Vocational Education and Training agreed to support new arrangements for national recognition. These new national recognition arrangements, known as the **Australian Recognition Framework (ARF)**, aim to ensure that providers of vocational education and training deliver quality training and services.⁵³ The principal mechanism for recognition under the ARF is registration of a training organisation.⁵⁴ Any training organisation registered in accordance with the ARF providing vocational education, training and/or assessment services is referred to as a **Registered Training Organisation (RTO)**. RTOs include TAFE institutes, private commercial providers, community providers, schools, higher education institutions, enterprises and firms, industry bodies and any other organisation which meets the requirements for registration.⁵⁵

Registration will be the critical quality assurance mechanism for the VET sector.⁵⁶ The ARF sets minimum standards and agreed operational protocols, including audit and monitoring arrangements for registered training organisations.⁵⁷ The focus of registration will move away from recognition of accredited courses to recognition of registered providers who can supply particular products and services which meet defined quality criteria.⁵⁸

The products and services an organisation can register to provide are:-

- training delivery, assessment and the issue of nationally recognised qualifications and Statements of Attainment;⁵⁹ and
- skills recognition services (assessment only) and the issue of nationally recognised qualifications and Statements of Attainment.

⁵³ Queensland. Department of Training and Industrial Relations, *Vocational Education and Training in Queensland - Training for Prosperity: A Position Paper*, August 1997, p 23.

⁵⁴ Australian National Training Authority, Ministerial Council, *The Australian Recognition Framework Arrangements*, 14 November 1997, p 2.

⁵⁵ ANTA, Ministerial Council, *The Australian Recognition Framework Arrangements*, p 28.

⁵⁶ ANTA, *The Australian Recognition Framework: Achieving Improved Quality Assurance and Mutual Recognition*, p 1.

⁵⁷ ANTA, *Annual Performance Report 1996-97*, p 27.

⁵⁸ ANTA, *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)*, p 15.

⁵⁹ A **Statement of Attainment** is the formal certification issued by either a RTO or State Recognition Authority after a person has achieved competencies identified for a particular qualification. These competencies will be identified in a training package or as customised qualifications created when a registered training organisation combines competency standards drawn from two or more different endorsed training packages to create a new qualification.

Mutual recognition is central to the ARF. Mutual recognition encompasses RTOs, qualifications and training products. Acceptance by the recognition authority in one State of the decisions of the recognition authorities in other States will enable an RTO to operate across different jurisdictions without having to apply for separate registration in each State. Mutual recognition by RTOs of their registration decisions will eliminate the need to duplicate registration processes in each State/Territory and will ensure that registered providers fully recognise and credit the outcomes of all other registered providers.⁶⁰ So far as mutual recognition of qualifications is concerned, acceptance by one RTO of the recognition decisions of other RTOs/State Recognition Authorities,⁶¹ relating to the issue of qualifications and Statements of Attainment, will enable individuals to receive full recognition of their achievements including credit transfer where appropriate. Mutual recognition also encompasses the acceptance of recognised training products, including Training Packages, throughout Australia.

A set of principles have been developed that underpin the operation of registration processes. These principles define what is to be mutually recognised and establish agreed operational processes to govern the implementation of mutual recognition. The principles for mutual recognition and of registration, which were agreed to by the ANTA Ministerial Council on 14 November 1997, are at **Appendix D** and **Appendix E** to this Bulletin.

As well as establishing agreed national principles for mutual recognition and registration, the ARF arrangements agreed to in November 1997 identify agreed national policy for the operation of ARF.⁶² The policy guidance includes:

- minimum national standards for registration of RTOs; and
- nationally agreed policy protocols for the operation of monitoring and audit arrangements of RTOs.

The national standards that were agreed to by the ANTA Ministerial Council on 14 November 1997 represent the core requirements and codes of conduct which all RTOs seeking registration must demonstrate. There have been national operational protocols developed covering:

- external audit of RTOs;

⁶⁰ *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)*, p 15.

⁶¹ A **State Recognition Authority** is the body responsible within the State or Territory legislative and decision making framework for all decisions relating to the administration of the registration of training organisations and the accreditation of courses where no relevant training package exists.

⁶² ANTA, *The Australian Recognition Framework: Achieving Improved Quality Assurance and Mutual Recognition*, p 2.

- marketing of recognised training; and
- registration fees for RTOs.⁶³

The national standards for registration and associated optional protocols are designed to improve quality assurance for the products and services of recognised organisations. The first draft of a discussion paper covering the development of monitoring and audit of training entities in Queensland was released in February 1998.⁶⁴

The ARF will enable registered training organisations to take direct responsibility for program and curriculum content which will move away from centralised course accreditation towards individualised Training Programs.⁶⁵ All existing registered providers will be deemed as registered training organisations, based on their current registration scope.⁶⁶

2.3.1 Quality Endorsement

Quality Endorsement refers to the recognition awarded to a registered training organisation to receive delegated powers of self management for the scope of their operations and self-management of accreditation of their own courses and customised qualifications.⁶⁷ Quality Endorsement will enable a Registered Training Organisation to:

- expand into new training package areas; and/or
- self accredit courses where training packages are not developed.

To achieve Quality Endorsement status the RTO will need to meet minimum national standards for Quality Endorsement. Queensland, together with the other States and Territories, has to re-structure its recognition systems to reflect these new arrangements. Clients will be able to make their choice of a registered training provider. Public funding will be paid to the training provider chosen by the client.⁶⁸ Clients will be able to choose a provider that is in their own State or Territory or interstate.

⁶³ ANTA, Ministerial Council, *The Australian Recognition Framework Arrangements Australian Recognition Framework Arrangements*, pp 22-24.

⁶⁴ Queensland. Department of Training and Industrial Relations, *Integrated Audit Process: Preliminary Discussion Paper*, Draft, February 1998.

⁶⁵ ANTA, *The Australian Recognition Framework: Achieving Improved Quality Assurance and Mutual Recognition*, p 2.

⁶⁶ ANTA, Ministerial Council, *The Australian Recognition Framework Arrangements*, p 3.

⁶⁷ ANTA, Ministerial Council, *The Australian Recognition Framework Arrangements*, p 27.

⁶⁸ Kemp, 'Government Initiatives for a Competitive Vocational Education and Training Sector', p 3.

The implementation of initiatives under the new National Training Framework requires flexibilities in the system that will encourage participation in training by industry, business and the community, and enable decision making at the local level. The new vocational education and training arrangements are designed to provide this flexibility.⁶⁹

2.4 NEW APPRENTICESHIPS

New Apprenticeships (formerly called Modern Apprenticeship Accreditation and Training Scheme or MAATS) is an initiative of the Commonwealth Government. It is designed to improve employment-based training so that apprenticeships and traineeships are more accessible and attractive to industry, small business and individuals.⁷⁰ The objective of New Apprenticeships is to increase the amount of training under contracts of training by increasing the number of apprentices and trainees.⁷¹ In the Executive Summary of the *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)* it was stated that:

A flexible and high quality entry level training system is necessary to accommodate the increasing diversity of Australia's enterprises and to maximise their opportunities to successfully compete in domestic and global markets.

To achieve this objective, the strengths and tradition of the existing apprenticeship system must be built upon, including the unique characteristics of the employer/apprentice relationship which protects the interests of both parties, while the inflexibilities which reduce options and choice at the enterprise level and inhibit effective national recognition of outcomes must be removed.⁷²

New Apprenticeships are defined by the following three characteristics:

- a registered training agreement;
- a nationally recognised training program leading to a nationally recognised qualification; and
- paid work and structured training.⁷³

The New Apprenticeships initiative includes a strong commitment to extending the apprenticeship system beyond existing industries and occupations and the

⁶⁹ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 16.

⁷⁰ Queensland. Vocational Education, Training and Employment Commission, *1996-1997 Annual Report*, p 6.

⁷¹ Geoff Wood, 'MAATS The Update', 2 *VET Matters*, December 1996, p 6.

⁷² ANTA, *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)*, Executive Summary, p 1.

⁷³ Australian National Training Authority, 'New Apprenticeships', *Australian Training*, Special Edition, June 1997, p 2.

development of a closer relationship between schools and vocational training, in particular to make available school based apprenticeships.⁷⁴ This involves a number of components including:

- creating a national training network (including arrangements for assessment), national training packages and a national recognition framework;
- developing policy and arrangements for User Choice;⁷⁵
- providing ‘one-stop-shop’ arrangements for contracted entry-level training; and
- introducing part-time apprenticeships and traineeships in schools.⁷⁶

With the exception of NSW, reforms in each of the Australian States and Territories will bring apprenticeships and traineeships under a common framework for vocational education and training.⁷⁷ The Commonwealth has proposed that the States and Territories amend legislation to accommodate new industrial arrangements and to abolish the process of declaring vocations. Victoria has already amended its legislation.⁷⁸ NSW has not agreed to amend legislation to accommodate New Apprenticeships and will continue to work in partnership with industry and unions to declare vocations under the NSW *Industrial and Commercial Training Act 1989*.⁷⁹ As national Training Packages become available, NSW will align qualifications to existing or new declared vocations where appropriate.⁸⁰

The regulatory framework underpinning the New Apprenticeships initiative has three main aspects:

- endorsement of the Training Package by the National Training Framework Committee of ANTA;
- registration of the Training Provider by the State/Territory recognition authority;

⁷⁴ Thorsten Stromback, *The Modern Australian Apprenticeship and Traineeship System (MAATS): A Critical Review and Implications for Stakeholders*, Center for Labour Market Research, Curtin University of Technology, Perth, 1996, p 3.

⁷⁵ See **Section 2.5** of this **Bulletin**.

⁷⁶ VETEC, *1996-1997 Annual Report*, p 6.

⁷⁷ ANTA, ‘New Apprenticeships’, p 3.

⁷⁸ Information supplied by ANTA, 27 January 1998. See *Vocational Education and Training (Training Framework) Act 1997* (Vic).

⁷⁹ New South Wales. Department of Education and Training, *Apprenticeships and Traineeships*, November 1997, p 3.

⁸⁰ NSW, DET, *Apprenticeships and Traineeships*, p 3.

- signing of the Training Agreement between the employer and the apprentice/trainee.⁸¹

A Model Training Agreement has been agreed to be adopted by all jurisdictions.

2.5 USER CHOICE

User Choice is central to the aim of making training more attractive to business and encouraging a training culture that is driven by business rather than by the educational sector. **User Choice** is defined as the flow of public funds to individual training providers which reflects the choice of individual training provider made by the client.⁸² The clients are the employer and the trainee/employee. The implementation of User Choice is considered essential to the success of New Apprenticeships.⁸³ The Federal Minister for Schools, Vocational Education and Training, Hon Dr David Kemp MP, described User Choice as a system where:

*Clients will be able to select any registered provider, either a TAFE Institution or a private provider and negotiate aspects of the content, mode of delivery, location and timing of training within the framework of endorsed competency standards and costs established by government.*⁸⁴

The objective of User Choice is to increase the responsiveness of the vocational education and training system to the needs of clients through the encouragement of a direct and market relationship between individual providers and clients.⁸⁵ Under User Choice, employers and their apprentices and trainees will be able to select the training provider whom they believe can best meet their training needs, and the related public funds then go to that provider.⁸⁶ The *Statement of User Choice Policy* contained in the Report to the ANTA Ministerial Council on the Implementation of User Choice identified three essential elements of User Choice:

- (i) *significantly greater market power to individual clients to negotiate with individual registered training providers, both public and private, about the off-the-job component of new apprenticeships. The negotiation can include*

⁸¹ ANTA, 'New Apprenticeships', p 3.

⁸² ANTA, *Report to MINCO on the Implementation of User Choice*, May 1997, p 3 of Attachment "A". in ANTA, *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)*.

⁸³ ANTA, *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)*, p 11.

⁸⁴ Kemp, 'A Changing Vocational Education and Training Landscape', p 10.

⁸⁵ ANTA, *Report to MINCO on the Implementation of User Choice*, p 3.

⁸⁶ ANTA, 'Vocational Education and Training Update: from a National Perspective', p 30.

choice of provider and choice about specific aspects of training, such as location, timing etc.

- (ii) *increased responsiveness on the supply side of the training market, to enhance the capacity of individual VET providers to respond to the expressed need of clients. Training outcomes will then be able to reflect more closely clients' views of their own needs. This increased responsiveness will include greater contestability among individual providers.*
- (iii) *User Choice outcomes are compatible with public expenditure constraints and efficient use of resources. There can be no implication that all requests for training from clients, however specialised or expensive, will be met from public funds.⁸⁷*

User Choice is critical to ensuring that training providers are flexible and responsive to the needs of industry and enterprises.⁸⁸ In July 1996, the ANTA Ministerial Council agreed to the progressive implementation of User Choice during 1997 and to full implementation of User Choice for off-the-job training for apprentices and trainees from 1 January 1998.⁸⁹ At the July 1997 meeting of ANTA's Ministerial Council (MINCO) it was decided that \$500 million of ANTA TAFE funds would be made available to employers to purchase training for their trainees and apprentices from the beginning of 1998 as part of the move towards User Choice. This amounts to approximately 20% of total TAFE funding.⁹⁰ All States, except NSW, agreed that from January 1998, off-the-job training for commencing apprentices and trainees will operate under User Choice arrangements.⁹¹

3. THE DRAFT VOCATIONAL EDUCATION AND TRAINING BILL 1997

In response to the recommendations of the June 1996 State Commission of Audit Report and the Wiltshire Report, the Queensland Minister for Training and Industrial Relations, Hon Santo Santoro launched the *Year of Training* initiative in February 1997. The major aims of the Year of Training were to rewrite Queensland's vocational education and training legislation.⁹² After a review of the

⁸⁷ ANTA, *Report to MINCO on the Implementation of User Choice*, p 3.

⁸⁸ ANTA, *The Report of the ANTA Board on the Implementation of New Apprenticeships (including User Choice)*, p 11.

⁸⁹ ANTA, *The Report of the ANTA Board on the Implementation of New Apprenticeships (Including User Choice)*, p 11.

⁹⁰ Rex Hewett, 'TAFE & MAATS: Beyond the cutting edge', *The Australian TAFE Teacher*, 30(3), October 1996, p 16.

⁹¹ Kemp, 'A Changing Vocational Education and Training Landscape', p 10.

⁹² Queensland. Department of Training and Industrial Relations, *Annual Report 1996-97*, p 6.

legislation for vocational education and training, the Queensland Government, in November 1997, released a Consultation Draft of the *Vocational Education and Training Bill 1997 (Qld)* and the *TAFE Institutes Bill 1997 (Qld)* (discussed at **Section 4** below). The following discussion refers to these Consultation Draft Bills respectively.

3.1 PURPOSE

The proposed new vocational education and training legislation will make the sector more flexible and responsive.⁹³ The intent of the proposed new legislation is to provide vocational education and training that is of the highest quality, that is flexible and adaptable, that is more cost effective and that is central to a strong training culture in industry.⁹⁴

The *Summary of the Vocational Education and Training Bill 1997* stated that

*National developments, key reports, an expanding competitive training market and initiatives to help industry meet current and emerging skills needs, provided the motivation for the Vocational Education and Training Bill 1997.*⁹⁵

Relevant national developments include the introduction of New Apprenticeships, User Choice for employers in the training market and mutual recognition arrangements for registration of training providers and courses. These have been discussed in **Section 2** of this **Bulletin**. The June 1996 *Report of the Queensland Commission of Audit* (see **Section 1.4** of this **Bulletin**) identified the need for substantial improvements to the skills level of the Queensland workforce and subsequently the *Wiltshire Report* (see **Section 1.5** of this **Bulletin**) identified the need for reform to the vocational education and training system in Queensland. The *Wiltshire Report* emphasised the need to develop a training culture in Queensland ie to encourage employers and the community to participate in training as a means of improving productivity and competitiveness.⁹⁶

The draft *Vocational Education and Training Bill 1997 (Qld)* (the draft Bill) proposes to repeal the *Vocational Education, Training and Employment Act 1991 (Qld)* and the *Vocational Education and Training (Industry Placement) Act 1992 (Qld)* (**Clause 191; Schedule 2**).

⁹³ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 3.

⁹⁴ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 12.

⁹⁵ DTIR, 'Summary of the Vocational Education and Training Bill 1997', in Queensland. Department of Training and Industrial Relations, *Vocational Education and Training Bill 1997 and TAFE Institutes Bill 1997, Consultation Draft*, p 1.

⁹⁶ Wiltshire, *Factors Affecting the Training Market in Queensland*, p 3.

3.2 THE QUEENSLAND TRAINING AUTHORITY

In the consultation process prior to the release of the draft Bill there were a number of concerns raised about the structure of VETEC and its Standing Councils. The advisory structure was criticised for being cumbersome, complex and confusing, overly bureaucratic and unresponsive to industry needs. Other concerns raised were that there were too many committees with overlapping functions and that there was a need for the statutory advisory structures to be simplified.⁹⁷ The prescription of powers and functions for the standing committees in the current legislation is restrictive and does not allow for flexibility.⁹⁸

Under the draft Bill, the **Queensland Training Authority (QTA)** will be established (**Clause 122**). It will replace VETEC as the peak industry policy advisory body to the Minister. The QTA will provide advice to the Minister on policy matters concerning Queensland's vocational education and training system. The QTA will consist of at least five, but not more than nine, members appointed by the Minister (appointed members) (**Clause 126(1)**). The members must:

- have a knowledge of, or experience in, vocational education and training, industry or community affairs; and
- be able to contribute to the strategic direction of the State's vocational education and training system.

The functions of the QTA are set out in **Clause 123** of the draft Bill. They include responsibility for carrying out the functions of the state training agency outlined in the *Australian National Training Authority Act 1992 (Cth)* (**Clause 123 (1)(g)**).

Under the *Vocational Education, Training and Employment Act 1991 (Qld)* (the VETE Act 1991), there is provision for the constitution of a number of standing committees of VETEC.⁹⁹ The draft Bill, however, does not provide for any standing committees of the QTA. The abolition of standing committees is to simplify the policy advisory, regulatory and administrative bodies that exist under the current legislation.¹⁰⁰ Instead of standing committees, the draft Bill provides for the QTA, with the approval of the Minister, to establish committees to help it to perform its functions (**Clause 136(1)**).

The **State Training Profile** (the Profile) will continue to be developed in the planning area of the Department of Training and Industrial Relations. The QTA will

⁹⁷ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 66.

⁹⁸ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 15.

⁹⁹ *Vocational Education, Training and Employment Act 1991 (Qld)*, Part 2 Division 2.

¹⁰⁰ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 18.

be responsible for recommending the Profile to the Minister for approval (**Clause 123 (1)(b)**).¹⁰¹

3.3 TRAINING ADVISORY BODIES

The VETE Act 1991 contained provision for the appointment of industry advisory committees.¹⁰² The draft Bill provides for the appointment of **Training Advisory Bodies** (TABs) to advise the Minister on vocational education and training for an industry, sector of an industry, or area (**Clause 139**). The Minister may declare a body corporate as a training advisory body for an industry, sector of an industry or community area it represents (**Clause 139(1)**). A corporation that is a training organisation registered to provide training is not eligible for appointment as a training advisory body (**Clause 139(2); Clause 139(4)**). The reason for this is that TABs are involved with the scope of training delivered in the publicly funded training system, the regulation of the apprenticeship system and the regulation of training organisations. Consequently, a conflict of interest could occur if TABs were also Registered Training Organisations.¹⁰³

3.4 THE CHIEF EXECUTIVE OFFICER

Under the VETE Act 1991, the VETE corporation is established to enable the Department to enter into commercial agreements and contracts.¹⁰⁴ Since the enactment of the VETE Act 1991, amendments to the *Acts Interpretation Act 1954* (Qld) now empower the State to enter into commercial activities without further statutory authority.¹⁰⁵ There is therefore no need for the corporation to be continued.¹⁰⁶ Under the draft Bill the chief executive officer of the Department will have the power to do all things that the chief executive did as the VETE corporation. The functions and powers of the chief executive officer are contained in **Clauses 143** and **144** respectively of the draft Bill.

¹⁰¹ The Profile is described in the draft Bill as the “*State vocational education and training plan*”. This information is based on advice received from the Queensland Department of Training and Industrial Relations.

¹⁰² *Vocational Education, Training and Employment Act 1991* (Qld), s 21.

¹⁰³ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 20.

¹⁰⁴ *Vocational Education, Training and Employment Act 1991* (Qld), s 6.

¹⁰⁵ *Acts Interpretation Act 1954* (Qld), s 47C.

¹⁰⁶ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 21.

3.5 REGISTRATION OF TRAINING ORGANISATIONS

The ARF specifies minimum national requirements for the registration of training organisations. Once registered, both the organisation and its products/services will be recognised nationally by other Registered Training Organisations and State Training Agencies. Registered Training Organisations will have greater freedom to operate throughout Australia without having to seek re-registration in other States or Territories.¹⁰⁷ It is anticipated that this will increase the range and flexibility of services that are offered in the training market.¹⁰⁸ The manner of applying for registration as a training organisation is set out in **Clause 6** of the draft Bill. An organisation may be registered either by:

- the chief executive; or
- by an approved administering body.

An **approved administering body** is a person who has been approved by the chief executive to be an administering body under **Part 4** of the draft Bill.

An organisation may only be registered as a training organisation if the chief executive or the administering body are satisfied:

- the organisation meets the criteria for registration as a training organisation published by the authority by gazette notice; and
- the organisation is a suitable organisation for registration (**Clause 6(2)**).

The criteria for establishing the suitability of an applicant for registration as a training organisation are contained in **Clause 7** of the draft Bill. The chief executive or administering body must have regard to any matter prescribed by regulation in determining suitability. Additionally the chief executive or administering body may have regard to the following matters:

- the character or business reputation of the applicant or of any person with whom the applicant has a business association; and
- the current financial position and financial background of the applicant or of another person with whom the applicant has a business association (**Clause 7**). Training organisations can be registered to provide:
- training; or
- assessment services (**Clause 8**).

¹⁰⁷ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 24.

¹⁰⁸ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 25.

3.6 TRAINING PACKAGES AND COURSE ACCREDITATION

Training Packages, which will be endorsed by the National Training Framework Committee, are the resource that training organisations will use to develop training courses. A Training Package will integrate nationally recognised and endorsed competency based guidelines and qualifications. A Training Organisation or employer will choose components of a national training package which combine to achieve a nationally recognised qualification. Training Organisations will only need to have courses formally accredited if:

- the courses are drawn from more than one national Training Package; or
- the courses are not drawn from one of the national Training Packages.¹⁰⁹

If accreditation is needed for a course a person may apply to the chief executive or to an approved administrative body (see **Section 3.7** below) for the grant of an accreditation of a course (**Clause 21(1)**). Accreditation will only be granted if the course complies with the accreditation criteria which will be published by the QTA by gazette notice (**Clause 21(2)**). There is provision for the chief executive to reassess an accredited course to ensure that it continues to meet the needs of industry and the community (**Clause 26**). Courses which have been accredited under a corresponding law of another State will be taken to be accredited under the draft Bill to the greatest extent possible (**Clause 25**).

3.7 ADMINISTERING BODIES

The chief executive may grant approval for a person to be an administering body for the purpose of performing any of the following functions:

- registration of training organisations;
- accreditation of courses;
- administration of registered training contracts;
- other functions as prescribed by regulation (**Clause 27(1)**).

To obtain approval as an administering body a person must:

- meet an approval criteria published by the QTA; and
- be a suitable person (**Clause 28**).

An inclusive list of factors that the chief executive may have regard to in assessing suitability for approval as an administrative body is contained in **Clause 28**. The

¹⁰⁹ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 28.

eligibility requirements are aimed at ensuring that high standards of quality in vocational education and training are upheld.¹¹⁰

The devolution of administration is seen as a key step in ensuring that information about the training system and training products is available to both the trainers and the people being trained. It will allow for administrative arrangements which are more responsive to the needs of individual employers, enterprises and apprenticeships.¹¹¹

3.8 TRAINING CONTRACTS

A **training contract** is a written contract for training between an employer and a person who is to be trained by the employer, or by another person on the employer's behalf, for a qualification stated in the contract (**Clause 35(1)**). The power to register a training contract is with the chief executive or approved administering body (**Clause 41**). Regulations will provide for the validation procedures associated with registration (**Clause 42**).¹¹² Each contract must provide for a supervising registered training organisation (**Clause 44(1)**). A **supervising registered training organisation** is a registered training organisation that has agreed with parties to a registered training contract:

- to provide training to the person being trained under the contract; and
- to be responsible for issuing the qualification upon the trainee reaching the required level of competence (**Clause 43**).

There is provision for the parties to the training contract to change the supervising registered training organisation (**Clause 46(1)**). The employer must notify the existing supervising training organisation of the change within 14 days of the change (**Clause 46(2)**).

The employer's obligations under the training contract are set out in **Division 4 of Part 5** of the draft Bill. These obligations include arranging the:

- registration of the contract; and
- provision of facilities and training necessary for the trainee (**Clause 47; Clause 48**).

It is the employer's obligation to notify the chief executive in the event of those events set out in **Clause 49** of the draft Bill which include the amendment, cancellation, assignment or completion of the contract. The employer must also

¹¹⁰ DTIR, 'Summary of the Vocational Education and Training Bill 1997', p 2.

¹¹¹ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, pp 35-36.

¹¹² DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 35.

notify the chief executive or the approved administering body when the trainee has achieved competencies required in any training provided by the employer under the training contract, other than that provided by a registered training organisation (**Clause 50**). An employer who does not fulfil the statutory obligations is guilty of an offence punishable by a maximum fine of 40 penalty units (ie \$3,000).

Cancellation of the registered training contract may occur:

- by either party to the contract during the probationary period (**Clause 52**);
- by consent of the parties to the agreement after the probationary period ends (**Clause 54**);
- by the chief executive or approved administering body as prescribed by regulation (**Clause 55**);
- by the employer for misconduct that would make it unreasonable for the employer to continue the training (**Clause 56**).

When a registered training contract is cancelled or completed the employment of the person being trained under the contract with the employer is taken to be terminated unless the employer and the employee agree that it will continue (**Clause 40**). This does not affect the rights of the employee under the *Workplace Relations Act 1997* (**Clause 40(3)**). If a registered training contract is cancelled before the probationary term ends, and before entering into the contract the person being trained was employed by the employer, the employer must, if requested by the person being trained, re-employ the person being trained under the contract in the former position or in another position on at least the same pay and conditions as applied in the former position (**Clause 53**).

It is the responsibility of the supervising registered training organisation to issue the appropriate qualification to the person when satisfied that the person has achieved the competencies required under the contract (**Clause 60(1)**). In disputes about the level of competence of the trainees there is provision for the chief executive to determine the person's level of competence (**Clause 63**).

3.9 VOCATIONAL PLACEMENT

The vocational placement provisions that are currently contained in the *Vocational Education and Training (Industry Placement) Act 1992* (Qld) will be incorporated into the draft Bill to reduce confusion and streamline administration.¹¹³ A **vocational placement** is a placement of a student undertaking a course with a person or a department of government of the Commonwealth or the State to

¹¹³ DTIR, 'Summary of the Vocational Education and Training Bill 1997', p 3 in *Vocational Education and Training Bill 1997 and TAFE Institutes Bill 1997, Consultation Draft*.

provide the student with practical training and experience that is an integral and assessable part of the course (**Clause 65**).

It is the responsibility of the registered training organisation to arrange the vocational placement for the student (**Clause 67**). Other responsibilities of the registered training organisation include:

- ensuring that a vocational placement agreement is signed by the student, the organisation and the person providing the placement (**Clause 68**);
- ensuring that the person providing the placement has facilities to provide the training under the vocational placement agreement (**Clause 70**);
- keeping a register of vocational placements that it has entered into (**Clause 69**);
- entering into and keeping in force an insurance cover under the *Workcover Queensland Act 1996* (Qld) for any student on vocational placement (**Clause 76**);
- amending or cancelling a vocational placement as prescribed under regulation (**Clause 74**);
- extending the term of the vocational placement in certain prescribed circumstances (**Clause 73**).

These provisions are designed to ensure that persons undertaking vocational placement receive adequate training. The obligations placed on the training organisation will ensure that training is monitored. Under the **current legislation** there is no requirement to monitor vocational placements or to ensure that the training provided to persons on vocational placement meets the requirements of the curriculum.

3.10 REVIEW AND APPEAL MECHANISMS

The draft Bill provides for an independent review panel whose function is to review reviewable decisions (**Clause 84**). This is designed to ensure public confidence in the decision making process by providing a clear transparent review mechanism.¹¹⁴ A **reviewable decision** is defined in **Clause 79** to include those decisions set out in **Schedule 1** of the draft Bill, as well as other decisions set out in **Clause 79**, including a decision:

- of an employer cancelling a registered training contract (**Clause 56**);
- cancelling a registered training contract in probation term (**Clause 52**);
- cancelling, or purportedly cancelling, a registered training contract by a party to a contract.

¹¹⁴ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 47.

Qualified individuals can be appointed by the Minister as reviewers to a review panel (**Clause 80(1)**). An individual is qualified for an appointment as a reviewer only if the individual:

- has a wide knowledge of and experience in, vocational education and training (**Clause 80(3)(a)**);
- has other qualifications and experience the Minister considers appropriate (**Clause 80(3)(b)**);
- is not one of the individuals prohibited from appointment as a reviewer by **Clause 80(5)**.

At least one of the reviewers must be a commissioner under the *Workplace Health and Safety Act 1997* (Qld) (**Clause 80(4)**). A reviewer can be appointed for a maximum term of 3 years (**Clause 81(1)(a)**) but the Minister has the power to end the reviewer's appointment if the reviewer:

- engages in misbehaviour;
- becomes incapable because of physical or mental capacity;
- is incompetent;
- is convicted of an indictable offence or an offence under the draft Bill;
- does anything else that, in the Minister's opinion, is a reasonable justification for removal from office (**Clause 83**).

The draft Bill provides for the appointment of a convener of the review panel (**Clause 80(6)**). A person appointed as a convener must have a very wide knowledge of, and experience in, vocational education and training (**Clause 80(6)**). It is the convener's responsibility to establish a review panel to review a reviewable decision as soon as practicable after receiving an application for review (**Clause 85**). A review panel may consist of a reviewer but if the decision to be reviewed is about cancelling or purporting to cancel a registered training contract, a specialist reviewer must be on the review panel (**Clause 86**).

3.10.1 Applying for Review

Division 4 of **Part 7** of the draft Bill sets out the procedure for applying for a review of a reviewable decision. The application must be made to the convener within the time limits prescribed by **Clause 89(2)**. The parties to the review are the applicant for the review and the person who made the reviewable decision as well as any other person who has been granted leave by the review panel to become a party. A person can be granted leave by the review panel to become a party on grounds that the person has a genuine concern in the subject matter of the review (**Clause 90(1)**; **Clause 90(2)**).

There are limitations placed on the powers of the review panel in relation to certain reviewable decisions. The powers of the review panel in relation to a decision to make a grant to a person involved in vocational education and training activities are limited to:

- confirming the decision;
- recommending to the Minister that:
 - the process used in reaching the decision be changed in the way recommended; and
 - the recommended decision making process be used in the future to decide similar grants (**Clause 92**).

If the application for review is in respect of one of the reviewable decisions in **Schedule 1** of the draft Bill and the ground for the application is that the decision maker did not follow a required process as set out under the draft Bill, the powers of the review panel are limited to:

- confirming the decision; or
- setting aside the decision; or
- setting aside the decision and returning the issue to the decision maker for reconsideration in accordance with matters stated by the panel; or
- declaring that the decision has no legal effect (**Clause 93**).

For other reviews the review panel is able to decide the matter afresh and affirm, set aside or vary the reviewable decision. It also has the power to substitute its own decision (**Clause 94**).

The review panel has special powers in relation to decisions where the registered training contract has been cancelled or purportedly cancelled (**Clause 95**). The power to make orders in these circumstances will aim to ensure that there is as little disruption as possible to a person's training. The powers of the review panel in these circumstances include the power to order an employer to pay compensation to the person undertaking training (**Clause 95 (4)(b)**) and to order the employer to resume training the person (**Clause 95(2)(a)**). Matters generally relating to industrial relations between the person undertaking training and the employer will be incorporated in the *Workplace Relations Act 1997 (Qld)* (**Schedule 3**). Included in these matters are the setting of minimum wages, provision of tools for persons being trained, and annual and sick leave entitlements.

3.10.2 Procedure for the Review Proceedings

The review panel must observe the rules of natural justice and act with as little formality and technicality as is consistent with a fair and proper consideration of the issue. The review panel is not bound by the rules of evidence and the panel may inform itself of anything in the way that it thinks most appropriate (**Clause 96(1)**; **Clause 96(2)**). There is an obligation on the panel to explain its powers, procedures

and any orders that it may make to the parties to the review (**Clause 96(4)**). The review will be open to the public unless the review panel decides that it is in the best interests of a party that the review be held in private (**Clause 101(1)**). The review panel must hold a conciliation conference before it starts a review (**Clause 98**).

A party or any other person who is required to appear at a review is entitled to appear or to be represented by an agent. The agent can only be a lawyer if both the parties and the panel consents (**Clause 102**). Each party to a review must bear their own costs (**Clause 115**). A party may appeal to the Industrial Court against a decision of the panel on a question of law (**Clause 111**).

3.11 COMPLIANCE

The draft Bill provides for the appointment of inspectors to ensure that there is compliance with registered training contracts. The inspectors will be appointed by the chief executive and can be public service employees or other persons prescribed under regulation (**Clause 154(1)**). A person can only be appointed as an inspector if the chief executive is satisfied that the person has the necessary expertise to be an inspector or has satisfactorily finished training approved by the chief executive (**Clause 154(2)**). An inspector holds office on the conditions stated in the instrument of appointment (**Clause 158**). The draft Bill makes the inspector subject to the directions of the chief executive and provides that the powers of an inspector may be limited:

- under regulation; or
- under condition of appointment; or
- by written notice given by the chief executive to the inspector (**Clause 157**).

The general powers of the inspectors are contained in **Division 2** of **Part 11** of the draft Bill. The inspectors are given powers to enter premises in certain circumstances and a power to apply to a Magistrate for a warrant to enter a place (**Clauses 159** and **162**). Once an inspector has entered a place under the powers given by the draft Bill, the inspector's powers of search, inspection, and seizure for the purpose of monitoring or enforcing compliance with the draft Bill are set out in **Clauses 163-168**. It is an offence punishable by a maximum penalty of 40 penalty units (ie \$3,000) for a person, upon the request of the inspector, not to give reasonable help to an inspector exercising powers given under **Clause 163(2)** of the draft Bill (**Clause 163(3)**). Proceedings for an offence under the draft Bill are dealt with by an Industrial Magistrate (**Clause 181(1)**).

4. TAFE INSTITUTES

4.1 THE ROLE OF TAFE

TAFE is currently the key provider of vocational education and training.¹¹⁵ For TAFE to operate in an open market it should be able to act as a business unit with control over its own business decisions. In an address to the *ANTA Training Update Seminar* in July 1997, Hon Dr David Kemp MP said that:

TAFE is well placed to take a lead role in the more flexible and responsive training market that is being established through the current reforms, particularly where individual institutes and colleges have been given the autonomy to respond at the local level. Stronger TAFE Institutes with greater autonomy are better able to respond directly to their local client base. Our industry clients have told us that they would prefer to negotiate needs directly with local providers.

Many TAFE Institutes have been saying for some time that if they are expected to operate in a market then they must be able to act as a business unit with control over their own business decisions. We can no longer afford to maintain rigid bureaucratic controls over the TAFE system. They stifle flexibility and create inefficiency. Money spent on administrative overheads would be spent on training delivery. TAFE autonomy is gradually becoming a significant feature of the Australian vocational education and training system. The features of more independent TAFE colleges are likely to include government by an independent board with annual performance contracts with government, enterprise agreements with staff at the institute level with power of employment, investment strategies that open capital expenditure to market considerations; and activity in the commercial and international markets at the discretion of the institute with prices influenced by market forces.¹¹⁶

TAFE is the main provider of training in Australia with an estimated 45% of the training by dollar value. TAFE Queensland is the main provider of accredited and recognised courses in Queensland.¹¹⁷

The legislative provisions dealing with TAFE institutes are currently found in the *Vocational Education Training and Employment Act 1991* (Qld). The separation of the legislative provisions relating to TAFE Institutes from the legislation dealing with vocational education and training generally has been in response in the recommendations contained in the *Report of the Queensland Commission of Audit* which urged the Government to separate its role as purchaser of vocational

¹¹⁵ Kemp, 'A Changing Vocational Education and Training Landscape', p 11.

¹¹⁶ Kemp, 'A Changing Vocational Education and Training Landscape', p 12.

¹¹⁷ *Report of the Queensland Commission of Audit*, Volume II, June 1996, p 87.

education and training from its role as a vocational education and training provider (see **Section 1.4** of this **Bulletin**).¹¹⁸

The *Report of the Queensland Commission of Audit*, June 1996, included a recommendation that the Government implement processes that will result in the provision of greater management autonomy at the TAFE institute level including the authority to engage in competitive tendering for the provision of infrastructure, maintenance and ancillary services.¹¹⁹

Under the proposed *TAFE Institutes Bill 1997* (Qld) (the draft TAFE Bill) the TAFE legislative provisions will be separated from the legislative provisions relating to other aspects of vocational education and training achieving a clear separation of the purchaser and provider roles.¹²⁰

4.2 TAFE INSTITUTES BUSINESS BOARDS

TAFE Institute Business Boards will be established and will replace the existing Institute Councils (**Clause 7(1)**). The TAFE Institute Business Boards will consist of the TAFE Institutes' director and seven to ten persons who must:

- have knowledge of or experience in business or commerce; and
- have knowledge of vocational education and training, industry or community affairs; and
- be able to contribute to the strategic direction of the institute (**Clause 7(2)**).

The board members are to be appointed by the Minister and are subject to the direction of the Minister (**Clauses 9 and 10**).

The Institute Business Boards will be subject to and must report to the Minister (**Clauses 8(k) and 9**). The functions of the proposed Institute Business Boards are set out in **Clause 8(1)** of the draft TAFE Bill. One of the functions of the Institute Business Boards would be to foster co-operation with other TAFE institutes to enhance the quality and consistency of services (**Clause 8(1)(i)**).

There is provision in the proposed legislation for college councils established by the Minister that will contain a maximum of 12 members. The college councils will consist of:

- an officer of the department employed at the institute (**Clause 22(3)**);

¹¹⁸ DTIR, 'Summary of the TAFE Institutes Bill 1997', p 1 in *Vocational Education and Training Bill 1997 and TAFE Institutes Bill 1997, Consultation Draft*.

¹¹⁹ *Report of the Queensland Commission of Audit*, Volume II, p 111.

¹²⁰ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, p 58.

- other members of the community served by the college who have knowledge or experience in vocational education and training or industry or community affairs (**Clause 22(4)**).

The role of the college council includes identifying the vocational education and training needs of the local community and reporting to the relevant institute business board on the extent to which these needs are being met (**Clause 23**). The college councils have an important role in ensuring that the delivery of vocational education and training is relevant to the needs of the community.

5. CONCLUSION

In detailing the need for change in the vocational education and training legislation in Queensland, the August 1997 Position Paper, *Vocational Education and Training in Queensland - Training for Prosperity* stated:

There is a need ... to develop a training culture in which training is valued, not just as an initial step to employment, but as an integrated and continuing function of the workplace.

*The reforms to the legislation ... will assist in the development of an improved and dynamic vocational education and training system which will contribute to Queensland's economic strength by facilitating the development of an internationally competitive workforce.*¹²¹

The more flexible training system will provide more opportunities for business to be involved in the provision of training and the input into the decision making process behind the strategic direction for vocational education and training.¹²² The reforms, as well as facilitating the introduction of new national strategies for vocational education and training, aim to encourage the emergence of a new training culture in Queensland.

¹²¹ DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, pp 11-12.

¹²² The Hon Santo Santoro MLA, 'Message from the Minister' in DTIR, *Vocational Education and Training in Queensland - Training for Prosperity*, pp i-iii.

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APPENDIX A - VET PARTICIPATION RATES

Table 1: VET participation rates by sex and state, 15 to 64 year olds and 15 to 24 year olds

unadjusted data, 1996

15-64 year olds									
	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	AUST
Males	10.2	14.5	9.1	9.7	9.3	8.6	12.9	8.1	10.6
Females	10.7	10.6	7.5	9.6	8.3	6.7	11.7	7.3	9.6
All Persons	10.6	12.5	8.3	9.7	8.8	7.7	12.3	7.7	10.1
15-24 year olds									
Males	21.3	22.7	19.3	20.3	17.2	18.0	21.6	16.5	20.7
Females	18.3	15.0	15.0	17.3	12.2	12.1	17.0	13.0	16.0
All Persons	20.1	18.9	17.2	17.8	15.7	15.2	19.4	14.8	18.5

Source: Derived using NCVER data and ABS estimated resident population by Sex/Age, June 1996 (Cat No 3101.0)

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<http://www.aph.gov.au/house/committe/eet/tafes/subs/SUB49~1.htm>

APPENDIX B - PROVISION OF VOCATIONAL EDUCATION 94-96

Table 6: Provision of Vocational Education, Australia, 1994 - 1996

	Clients			Annual Hours	
	1994	1995	1996	1994	1995
TAFE and Other Government Providers					
Vocational programs	1043058	1098866	1117640	256100405	261886933
Program Type Unknown	73	0	0	5053	0
Adult and Community Education Providers					
Vocational Programs	88451	173882	207102	5061813	8734298
Private Providers					
Vocational Programs	N/A	N/A	29837	N/A	N/A
Total Training Activity					
Vocational Programs	1131509	1272748	1354579	261162218	270621231
Program Type Unknown	73	0	0	5053	0

Source: Selected Vocational Education and Training Statistics, 1995; Australian Vocational Education and Training Statistics in detail, NCVER

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<http://www.aph.gov.au/house/committe/eet/tafes/subs/SUB49~1.htm>

APPENDIX C - TRAINING PACKAGES

Training Package	Nat Code:
Administration (Endorsed)	BSA97
Aeroskills (Endorsed)	MEA97
Agriculture (under development)	RUA98
Assessment and Workplace Training (under development)	BSZ98
Asset Development and Operations (under development)	PRD98
Asset Maintenance (under development)	PRM98
Asset Security (under development)	PRS98
Black Coal (under development)	MNC98
Caravan Industry (under development)	THC98
Chemicals and Oils (under development)	PMA98
Civil Operations (under development)	BCC98
Community Services (under development)	CHC98
Corrective Services (under development)	CSC98
Drilling (under development)	DRT98
Finance (under development)	FNA98
Food (under development)	FDF98
Forest Growing and Management (under development)	FPG98
Freight Forwarding and Logistics (under development)	TDF98
General Construction (under development)	BCG98
Hairdressing (under development)	WRH98
Health (under development)	CHH98
Horticulture (under development)	RUH98
Hospitality (Endorsed)	THH97
Information Technology - Client (user) Support (under development)	ICA98
Information Technology - Systems Development (under development)	ICB98
Insurance (under development)	FNB98
Legal Industry (under development)	BSL98
Libraries, Museums and Galleries (under development)	CUL98
Live Theatre and Entertainment (under development)	CUE98
Local Government (under development)	LGA98
Manufacturing (under development)	AUM98
Meat (under development)	MTM98
Metal and Engineering (under development)	MEE98
National Retail (Endorsed)	WRR97
Printing and Allied Industries (under development)	ICP98
Public Safety (under development)	PUA98
Pulp and Paper (under development)	FPP98
Quarry and Extractive (under development)	MNQ98
Racing (under development)	RGR98
Retail Services and Repair (under development)	AUR98
Rubber, Plastics and Cablemaking (under development)	PMB98
Service Technician Portable Fire Equipment (Chubb Fire)	ZCA97
Telecommunications Industry (Endorsed)	ICT97
Tourism (under development)	THT98
Transport and Distribution (Endorsed)	TDT97
Veterinary Nursing (under development)	RUV98
Water, Gas and Electricity (under development)	UTU98
Wood Panel Products (under development)	FPW98

Source: Australian National Training Authority

APPENDIX D - NATIONAL PRINCIPLES FOR MUTUAL RECOGNITION

These Principles underpin the operation of Mutual Recognition processes by State and Territory Recognition Authorities in the context of the ARF [Australian Recognition Framework]. They should be read in conjunction with the National Principles for Registration, the national Standards for Registration and the National Operational Protocols.

Mutual Recognition is applied within the context of the particular legislative, occupational licensing, reporting and accountability requirements of each State and Territory. RTO's [Registered Training Organisation] offering services for overseas clients also need to meet the requirements of the [Commonwealth] Education Services for Overseas Students (ESOS) Act 1991.

Principle 1 Mutual Recognition of Qualifications and Statements of Attainment by RTOs

An RTO must accept and mutually recognise the decisions and outcomes of any other RTO or body in partnership with an RTO, thereby ensuring the mutual acceptance throughout Australia of the qualifications and Statements of Attainment awarded by RTOs.

Principle 2 Mutual Recognition of Registration Decisions by STAs/SRAs [

Each State and Territory will always mutually recognise the decisions of all other States and Territories in registering a training organisation, thereby ensuring the mutual acceptance throughout Australia of the qualifications and Statements of Attainment awarded by the RTO.

Principle 3 Mutual Recognition of RTOs by other STAs/SRAs

Mutual Recognition enables an RTO to operate within other States or Territories within the original scope of registration without a further formal recognition process or payment of additional fees.

Principle 4 Mutual Recognition through Primary Recognition Authority

RTOs wishing to operate in more than one State/Territory should generally only be required to communicate with a single Recognition Authority, the Primary Recognition Authority, unless they wish to do otherwise. The Primary Recognition Authority will usually be the one in which the organisation was first registered and/or in which it has major locus of operations. RTOs may elect to change their Primary Recognition Authority.

Principle 5 Provision of Information by Primary Recognition Authority

When an RTO wishes to operate in other States/territories, within the scope of their original registration, the Primary Recognition Authority will supply the Recognition Authority(ies) in these States/Territories (The Reciprocal Recognition Authority(ies))with the following information:

- the RTO's name and legal status (company and trading names) exactly as shown in their primary registration;
- the RTO's full street address (and postal address if available) and telecommunications address(es) - e - mail, facsimile and telephone;

- the name, position or title, telephone and facsimile numbers (and address if different from the RTO's registered address) of a contact for day-to-day dealings; and

- the defined scope of primary registration, expiry dates and full address(es) of permanent site(s). This includes products/services which the organisation is registered to provide and the areas of operation - Training Package(s), industry or course based information (including course titles, codes, national codes and accreditation expiry dates).

The Primary Recognition Authority will advise the Reciprocal Recognition Authority(ies) promptly of any subsequent changes to the above information and enter the information on the National Training Information Service (NTIS).

Principle 6 Authority to Issue Qualifications

Qualifications and Statements of Attainment awarded by an RTO operating in other States and Territories are issued under the authority of the Primary Recognition Authority and are 'nationally recognised'.

Principle 7 Monitoring/Audit

The monitoring/audit of RTOs is managed by the Primary Recognition Authority which may come to working arrangements with the Reciprocal Recognition Authority(ies) to undertake monitoring/auditing functions.

Principle 8 Complaints Management

Where a complaint is made in relation to the application of the Mutual Recognition process(es) or in relation to the operation/activities of a mutually recognised RTO, in the first instance, the State/Territory in which the complaint is made should advise the Primary Recognition Authority of the complaint. Based on the nature of the complaint, the Primary Recognition Authority and the Recognition Authority to which the complaint was made will agree on an appropriate strategy and responsibilities for investigation of the complaint.

However, after consultation, Reciprocal Recognition Authorities reserve the right to initiate an investigation of a complaint, take appropriate remedial action, suspend or withdraw an RTO's Mutual Recognition.

Principle 9 Information Management

The Primary Recognition Authority is responsible for maintaining relevant statistical information on the operations of RTOs except where services have been purchased by States/Territories in which the RTO is operating through Mutual Recognition. The Primary Recognition Authority is also responsible for amendments to information in relation to registration for the purposes of the NTIS.

Source: Australian National Training Authority, Ministerial Council, *Australian Recognition Framework Arrangements*, 14 November 1997.

APPENDIX E - NATIONAL PRINCIPLES FOR REGISTRATION

These Principles underpin the operation of registration of training organisations by State and Territory Recognition authorities in the context of the ARF. They should be read in conjunction with the National Principles for Mutual Recognition, the National Standards for Registration and the National Operational Protocols.

PRINCIPLES FOR REGISTRATION

Principle 1 Recognition

All organisations, whether public or private, seeking national recognition of their training products and services must be registered by a State/Territory Training Authority or operate in partnership with an existing RTO, which becomes the body responsible for quality assurance of recognition for the products/services provided by the partner organisation.

Principle 2 Basis of Registration

Initial registration is dependent upon demonstrating the capacity to meet the National Core and relevant Product/Service Standards and any other requirements of the relevant State or Territory. Continuing registration is dependent upon compliance measured through monitoring and audit.

Principle 3 Scope of Registration

Organisations must be registered against a defined scope which identifies recognition for particular products and services to be delivered in specific areas of operation. The products and services include:

- provision of training delivery, assessment and the issuance of nationally recognised qualifications and Statements of Attainment;
- provision of skill recognition services (assessment only) and the issuance of nationally recognised qualifications and Statements of Attainment.

The area of operation is defined by either a national Training Package(s) and/or a general area of vocational education, and by highest qualification level.

Principle 4 Period of Registration

Registration is limited to a period of up to five years. Extensions to the scope of registration do not extend the total period of registration. Re-registration is dependent on establishing compliance with relevant standards measured by States and Territories.

Principle 5 Quality Endorsement

Training organisations meeting the registration and quality system requirements of the State or Territory in which they are first registered may receive delegations to self-manage the extension of the scope of their registration into new qualifications within an endorsed Training Package, new Training Packages and/or new accredited courses and/or undertake course design and self-accreditation* of courses.

*The NTFC recently confirmed that relevant Training Packages are to be used where they exist; self accreditation of courses only applies where relevant Training packages do not exist.

Source: Australian National Training Authority, Ministerial Council, *Australian Recognition Framework Arrangements*, 14 November 1997.

APPENDIX F - MINISTERIAL MEDIA STATEMENTS

- Minister for Training and Industrial Relations, Hon S Santoro, 'The year of training', 8 October 1997.
- Minister for Training and Industrial Relations, Hon S Santoro, 'Santoro urges business to train staff', 16 October 1997.
- Minister for Training and Industrial Relations, Hon S. Santoro, 'TAFE and BMW create model apprentices', 21 January 1998.

Minister for Training and Industrial Relations, Hon. S. Santoro

8/10/97

THE YEAR OF TRAINING

Mr Speaker, on coming to office, this Government had an independent audit undertaken to establish a true picture of the State's affairs and the direction we should be heading in.

The Queensland Commission of Audit report identified the need to upgrade the skills level of the Queensland workforce. I subsequently appointed Professor Kenneth Wiltshire of the University of Queensland to examine more closely the problems and challenges facing the Queensland training market.

Professor Wiltshire's report, *Factors Affecting the Training Market in Queensland*, identified the need to reform the State's vocational education and training system. The report emphasised the need to develop a training culture in Queensland, through greater participation by employers and the community.

Of particular concern is the uptake of training by small businesses. More than 90% of Queensland business is small business, accounting for just over half of all employment in the private sector. However, Australian Bureau of Statistics data shows only 12% of workers from small business received formal training during the past 12 months.

One of the strongest advantages that Queensland has in competing in the global marketplace, particularly in the Asia-Pacific, is a relatively skilled workforce. This Government is determined to maintain and sharpen this competitive edge to enable industry to expand and create real jobs for Queenslanders.

In response to the challenges posed by the Commission of Audit and Wiltshire reports, in February 1997 I launched Queensland's Year of Training. The major aims of the Year of Training are to:

- re-write the State's training legislation, including provision for the implementation of New Apprenticeships, in a manner that supports and encourages a flexible and responsive training system;
- review major policy issues; and
- developing a training culture to increase participation in training.

I am pleased to now inform the House of the achievements to date in re-shaping and modernising vocational education and training in this State.

On 26 August, I launched a Position Paper on the new training legislation which I will introduce to the House later this year. The Position Paper, titled *Training for Prosperity*, is the result of extensive consultations across the State. It proposes a more industry-driven, streamlined and less bureaucratic training system which is more accessible to small businesses.

The legislation will put Queensland at the forefront of implementing the New Apprenticeship program, which will expand employment-based training into new industries through new and flexible training options. This Government believes that unemployment can only be addressed through measures that provide real long-term solutions. One-off up front cash incentives such as those advocated in the ALP's recent 'jobs plan' do not provide employers with effective solutions to their skills needs.

New Apprenticeships will make it easier, more affordable and more attractive for employers to become involved in employment-based training.

New Apprenticeships will remove the distinction between apprenticeships and traineeships in recognition that employment-based training is about giving employers broader choices in determining how their skills needs can be met.

From 1 January 1998, User Choice arrangements will be introduced for all apprenticeship training in Queensland, providing a greater choice of training providers and modes of delivery to suit employers and apprentices.

In April this year, I established the Small Business Training Advisory Committee to advise on how to increase small business participation in training. This Committee will have an ongoing role, ensuring the Government is in touch with the grassroots of the small business sector.

And of course we are also developing a disability training strategy to increase the participation of people with disabilities in training.

To ensure the voice of the rural sector is heard, I have established a Rural Industry Training Taskforce. In addition, I have established eight Regional Roundtables, or advisory councils, throughout Queensland. These industry-led forums will ensure the needs of regional Queensland are taken into account in the distribution of vocational education and training resources.

And of course Mr Speaker, this Government has also done much to overcome the previous Government's neglect of Agricultural Colleges in this State.

New legislation governing TAFE will build on the Working Better Together strategy I introduced last year, to ensure TAFE Queensland remains innovative, leading training in Queensland's competitive market.

In June 1997, Cabinet decided to proceed with the inaugural Queensland Training Week, from October 5 to 12. Training Week, now in progress, is focusing on promoting training to industry and the wider community.

Following Training Week, Queensland will host a major international conference on October 16 and 17. The theme of the Conference, Better Business: Productivity through Training encapsulates the objectives of the Year of Training.

The Government has a vision for Queensland's vocational education and training system to be efficient, responsive, diverse and setting international best practice standards. In the Year of Training, the Government is laying the foundation for realising this vision for the benefit of all Queenslanders.

Further info Lea Crombie Tel - (07) 3225 2210 / 0412 214 053

Minister for Training and Industrial Relations, HON. S. SANTORO

16/10/97

SANTORO URGES BUSINESS TO TRAIN STAFF

Queensland business and industry must adopt a training culture to ensure the State's future economic prosperity.

Training and Industrial Relations Minister Santo Santoro told an international conference starting in Brisbane today (Thurs 16 Oct) that training creates multi-skilled staff and leads to increased productivity.

The two-day Year of Training conference is at Room 6, Plaza Level, Brisbane Convention and Exhibition Centre, from 8.45am. More than 400 delegates have registered to attend.

"People are the most important asset of any workplace," said Mr Santoro.

"Any employer who invests in his staff will be rewarded tenfold."

Mr Santoro said creating a training culture in Queensland is the major aim of Queensland's Year of Training.

"Increasingly, Queensland and Australian business are competing in a global marketplace," he said.

"If every employer -- large, medium and small -- becomes convinced that training is a vital, integral part of their business, then Australia will have the world-class workforce we are striving so hard for."

Mr Santoro told delegates he had introduced reforms to the State's vocational education and training system to encourage business and industry to embrace a training culture. He said the two-day Brisbane conference will feature a host of international and local speakers who are succeeding in business because of a strong training culture.

"They include John Heindel from the Boeing Company in America and Gail Austen, the 1997 Telstra Australia Business Woman of the Year," said Mr Santoro.

Further info Lea Crombie Tel - (07) 3225 2210 / 0412 214 053

Minister for Training and Industrial Relations, HON. S. SANTORO

21/1/98

TAFE AND BMW CREATE MODEL APPRENTICES

ATTN: BNE, SUNSHINE COAST

Cooloola Sunshine Institute of TAFE (CSIT) and Brisbane BMW have developed a partnership aimed at steering their apprentices in the right direction. The partnership has developed an off-the-job training model centred around Brisbane BMW's Fortitude Valley facilities.

All apprenticeship training will be delivered at the workplace using the expertise of CSIT teaching staff and Brisbane BMW's automotive technicians.

Training and Industrial Relations Minister Santo Santoro said the partnership is an excellent example of how TAFE Queensland is responding to the needs of industry and of how user-choice benefits both employer and employee.

"The institute has tailored the training to meet the needs of the employer and eliminated the need for apprentices to be away from the workplace," said Mr Santoro.

"Under user-choice, employers and employees are encouraged to make decisions together, to develop closer relationships with their training providers and to create training models that reflect their actual needs.

"When the off-the-job component is delivered at the workplace, the training is directly relevant to the work being carried out and is immediately useful."

Both organisations are committed to the workplace model of apprenticeship, said Mr Santoro.

Brisbane BMW has built and fitted out a purpose-built training room and CSIT has provided the information technology systems to support distance education delivery.

"In addition to technology-based methods of delivery, CSIT teachers will regularly deliver training to apprentices in the workplace," said Mr Santoro.

The course is endorsed by the Australian Automotive Industry Training Council.

Approval has been given by the State Training Council to conduct the workplace-based, user-choice apprenticeship model.

Brisbane BMW has five Stage II automotive apprentices who began the workplace delivery model last week (15 Jan).

Further info Lea Crombie Tel - (07) 3225 2210 / 0412 214 053

APPENDIX G - NEWSPAPER ARTICLE

Michael Madigan, 'Apprentices to remain in training law revamp',

Courier Mail 26 January 1998, p 4.

COMMUNITY reaction has forced the State Government to re-draft its training legislation amid allegations it is engaged in a "sinister plot" to abolish apprenticeships.

The Government will reword its Vocational Education and Training Bill to include the word "apprenticeship" after a strong community reaction against the term "training contract".

Employment and Training Minister Santo Santoro said he accepted the word apprenticeship carried emotional capital, and he would reinstate it in the Bill.

But he dismissed Opposition and union allegations that the absence of the word revealed a sinister plot to destroy the historical indenture system and replace it with training contracts.

Mr Santoro said community reaction over the absence of "apprentice" became obvious two months ago after draft legislation was circulated.

"We had about 5000 copies of the draft circulated purely to gauge community reaction," he said.

"They wanted the word apprentice used and I'm more than happy to have the word in the Bill."

Opposition training spokesman Paul Braddy said the absence of "apprenticeship" in the Bill was either a giant bureaucratic blunder or a deliberate undermining of the indenture system.

Training contracts were not apprenticeships but often merely an opportunity for employers to exploit youths without guaranteeing them a training schedule, he said.

"Apprentices have to be protected, they have to be guaranteed they are part of a system which is recognised," he said.

Mr Braddy said that by refusing to use "apprentice", Mr Santoro revealed a mind-set that was pushing the state into a work contract mentality.

Mr Santoro said his office was already working on the changes to the draft legislation.