

RTO015 SOP Cooperating and Communicating with the VET Regulator

1. Purpose

This Standard Operating Procedure is to ensure that Health Information Management Association of Australia Limited (HIMAA) cooperates and communicates with the VET Regulator and is legally compliant at all times.

2. Scope

This Standard Operating Procedure applies to all Staff.

3. Standard 8 Clauses 8.1 – 8.6

8. The RTO cooperates with the VET Regulator and is legally compliant at all times.

To be compliant with Standard 8 the RTO must meet the following:

8.1 The RTO cooperates with the VET Regulator:

- a) By providing accurate and truthful responses to information requests from the VET Regulator relevant to the RTO's registration;
- b) In the conduct of audits and the monitoring of its operations;
- c) By providing quality /performance indicator data
- d) By providing information about substantial changes to its operations or any event that would significantly affect the RTO's ability to comply with these standards within 90 calendar days of the change occurring;
- e) By providing information about significant changes to ownership within 90 calendar days of the change occurring; and
- f) In the retention, archiving, retrieval and transfer of records.

8.2 The RTO ensures that any third party delivering services on its behalf is required under written agreement to cooperate with the VET Regulator:

- g) By providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services; and
- h) In the conduct of audits and the monitoring of its operations.

8.3 The RTO notifies the Regulator:

- a) Of any written agreement entered into under clause 2.3 for the delivery of services on its behalf within 30 calendar days of that agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first; and
- b) Within 30 calendar days of the agreement coming to an end.

8.4 The RTO provides an annual declaration on compliance with these Standards to the VET Regulator and in particular whether it:

- a) Currently meets the requirements of the Standards across all of its scope of registration and has met the requirements of the Standards for all AQF certification documentation it has issued in the previous 12 months; and
- b) Has training and assessment strategies and practices in place that ensure that all current and prospective learners will be trained and assessed in accordance with the requirements of the Standards.

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8.5 The RTO complies with Commonwealth, State and Territory Legislation and regulatory requirements relevant to its operations.

8.6 The RTO ensure its staff and clients are informed of any changes to legislation and regulatory requirements that affect the services delivered.

Clause 2.3

2.3 The RTO ensures that where services are provided on its behalf by a third party the provision of those services is the subject of a written agreement.

4. Definition

Audit – means an audit or compliance audit undertaken by the VET Regulator.

AQF Certification Documentation – is the set of official documents that confirms an AQF qualification or statement of attainment has been issued to an individual.

Australian Qualification Framework (AQF) – means the framework for regulated qualifications in the Australian education and training system, as agreed by the Commonwealth State and Territory ministerial council with responsibility for higher education.

Data Provision Requirements – are the requirements for data provision as agreed by the Industry and Skills Council and implemented by the VET Regulator as required by its governing legislation.

Executive Officer – means

- a) A person by whatever name called and whether or not a director of the organisation, who is concerned in or takes part in the management of the RTO; or
- b) An administrator, receiver and manager. or liquidator of the organisation (other than a receiver and manger, or liquidator, appointed by a court); or
- c) If the RTO is a body corporate;
 - I. A person who, at any time during a period for which the organisation is registered, owns 15% or more of the organisation; or
 - II. A person who at any time during a period for which the organisation is registered, is entitled to receive 15% or more of dividends paid by the organisation; or
 - III. The administrator of a deed of company arrangement executed by an organisation; or
 - IV. A trustee or other person administering a compromise of arrangement made between the organisation and another person or other persons.

Financial Viability Risk Assessment Requirements – means the requirements made under section 158 of the National Vocational Education and Training Regulator Act 2011 or equivalent requirements made or adopted by the VET Regulator of a non-referring State as the case requires.

High Managerial Agent – means an employee or agent of the organisation with duties of such responsibility that his or her conduct may fairly be assumed to represent the organisation in relation to the business of providing courses.

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Operations – of an RTO include training, assessment and administration and support services related to its registration, including those delivered across jurisdictions and offshore.

Registration – means registered as an RTO by the VET Regulator, where that registration is then entered on the National Register.

RTO – means a Registered Training Organisation.

Scope of Registration – means the training products for which an RTO is registered to issue AQF certification documentation. It allows the RTO; or

- a) Both provide training delivery and assessment resulting in the issuance of AQF certification documentation by the RTO; or
- b) Provide assessment resulting in the issuance of AQF certification documentation by the RTO.

Services – mean and training, assessment, related educational and support services and/or any activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support.

Third Party – means any party that provides on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

Training and assessment strategies and practices – are the approach of, and method adopted by, an RTO with respect to training and assessment designed to enable learners to meet the requirements of the training package or accredited course.

VET Quality Framework – comprises:

- a) The Standards for Registered Training Organisations
- b) The Australian Qualifications Framework
- c) The Fit and Proper Persons Requirements
- d) The Financial Viability Risk Assessment Requirements
- e) The Data Provision Requirements

VET Regulator – means:

- a) The National VET Regulator
- b) A body of a non-referring State that is responsible for the kinds of matters dealt with under the VET legislation for that State.

5. References

- Standards for Registered Training Organisations (RTOs) 2015
- User Guide Standards for Registered Training Organisations (RTOs) 2015
- Australian Skills Quality Authority (ASQA)
- Fit and Proper Persons Requirements
- Australian Qualification Framework (AQF)
- Data Provision Requirements 2012
- Vocational Education and Training Act 2011
- Commonwealth, State and Territory Legislation and Regulatory Requirements
- RTO008 Policy Quality Assurance of RTO Operations
- RTO008 SOP Quality Assurance of RTO Operations
- RTO009 Policy Issuing, Maintaining and Accepting Statements of Attainment and AQF Certification and Access to Records

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- RTO009 SOP Issuing, Maintaining and Accepting Statements of Attainment and AQF Certification and Access to Records
- RTO014 Policy Governance and Administration
- RTO014 SOP Governance and Administration
- RTO002 Policy Industry Relevance
- RTO002 SOP Industry Relevance
- RTO013 Policy Complaints and Appeals
- RTO013 SOP Complaints and Appeals
- RTO011 Policy Providing Accurate and Accessible information and Advertising and Marketing
- RTO011 SOP Providing Accurate and Accessible information and Advertising and Marketing
- RTO015 SOP Cooperating and Communicating with the VET Regulator
- RTO006 Policy Individuals Working Under the Supervision of a Trainer
- RTO006 SOP Individuals Working Under the Supervision of a Trainer
- RTO005 Policy Trainers and Assessors
- RTO005 SOP Trainers and Assessors
- RTO012 Policy Learners Informed and Protected
- RTO012 SOP Learners Informed and Protected
- RTO003 Policy Learner Support Services
- RTO003 SOP Learner Support Services
- RTO010 Policy Unique Student Identifier (USI)
- RTO010 SOP Unique Student Identifier (USI)
- RTO001 Policy Training and Assessment Strategies and Practices
- RTO001 SOP Training and Assessment Strategies and Practices
- RTO007 Policy Transition of Training Products
- RTO007 SOP Transition of Training Products
- RTO004 Policy Assessment
- RTO004 SOP Assessment
- RTO018 Form Credential Request
- RTO017 Form Change of Personal Details
- RTO010 Access to Records Request

6. Procedure

6.1 Communicating with Registering Bodies

- 6.1.1 HIMAA communicates and cooperates with the National VET Regulator at all times.
- 6.1.2 HIMAA's Quality and Compliance Officer organises the notification of material change of event and Fit and Proper Person requirements Declarations to be completed when
 - 6.1.2.1 Change of Chief Executive Officer (CEO)
 - 6.1.2.2 Change of Board Members
 - 6.1.2.3 Change to Financial Audit and Risk Management Committee Members
 - 6.1.2.4 Change of contact details
 - 6.1.2.5 Change of Scope
 - 6.1.2.6 Significant changes to its operations
 - 6.1.2.7 Changes to ownership

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6.1.2.8 Other changes that affects or impacts HIMAA as a Registered Training Organisation

- 6.1.3 HIMAA's Quality and Compliance Officer keeps a copy of all notifications, emails, original documents and communications between the National VET Regulator and HIMAA. The documents are scanned and uploaded onto the HIMAA G drive in the Quality and Compliance Officer's folder in a sub-folder named ASQA. The original is filed into a folder that is held by the Quality and Compliance Officer
- 6.1.4 All HIMAA personnel who make decisions that can affect the running of the RTO are required to complete the Fit and Proper Persons requirements declaration (ASQA document)
- 6.1.5 Any new Board Member, Committee Member or Chief Executive Officer is required to meet the Fit and Proper Person Requirements prior to becoming nominated or recruited. If the person does not meet the Fit and Proper Person Requirements they cannot be part of the Board, Committee or the CEO
- 6.1.6 Any HIMAA Board Member, CEO or Committee Member make a false and misleading declaration risks a fine or gaol time if found to be true
- 6.1.7 The Fit and Proper Person Requirements must be witnessed by a Justice of the Peace or a person listed on the back of the Declaration
- 6.1.8 The newly recruited Board Member, CEO or Committee Member is to complete the Declaration, scan the document and email it to the Quality and Compliance Officer. The original is posted to the Quality and Compliance Officer by express post or registered mail to
Quality and Compliance Officer
Health Information Management Association of Australia Limited
Locked Bag 2045 North Ryde NSW 1670 Australia
- 6.1.9 All ASQA forms such as the declaration and Notification of Material Change of Event must be downloaded from the ASQA website each time the process needs to be completed
- 6.1.10 HIMAA's Quality and Compliance Officer will ensure this is happening by conducting audits on staff computers under the supervision of the Manager of IMIT and Professional Development. This is to be conducted at least on an annual basis
- 6.1.11 If a staff member contacts the VET Regulator they are to copy the CEO and the Quality and Compliance Officer. If a response is required the staff member should forward the response to the CEO or Quality and Compliance Officer. This is then printed and filed into the appropriate file and then uploaded into the folder on G drive. This ensures all records are kept and are available for future use, such as re-registration and audits
- 6.1.12 If the contact to the VET Regulator is by phone the staff member should record a summary of the conversation, including the name and email address of the person to whom they are speaking. The conversation should be confirmed by email either from the VET Regulator or by the HIMAA staff member. If the latter, a read receipt should be requested

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6.2 Retaining, Archiving, Retrieval and Transfer of Learner Records

- 6.2.1 HIMAA ensures that all learners' records are kept in the Student Management System (SMS) Business Applications
- 6.2.2 This ensures that all learners' records are kept in the one place and can be accessed at any time by staff members who have access to the SMS. Also that the records are kept for the required timeframe as requested by the VET Regulator
- 6.2.3 Learners from previous years can at any time request a credential to be reprinted due to loss or damage
- 6.2.4 Only certain staff members are given access to the SMS and have a login and password. This ensures that all information on the system is kept private and confidential as well as secure. The type of access and staff member
 - 6.2.4.1 Training Manager Education Services – System Administrator Access
 - 6.2.4.2 Education Officers – Trainers Access
 - 6.2.4.3 Student Support and Administration Officer – System Administration Access
 - 6.2.4.4 Quality and Compliance Officer – Student database access
- 6.2.5 Under no circumstances should HIMAA staff give their password and login to others within or outside the organisation. This could lead to disciplinary action being taken

6.3 Registered Training Organisations (RTO)

- 6.3.1 In the event of learners transferring to another RTO, assessment information requested by the other RTO is only available after authorisation by the Quality and Compliance Officer. This must also have the learner's explicit consent
- 6.3.2 Replacement Statements of Attainment and requests from other RTO's for assessment information must be responded to within five business days
- 6.3.3 If in the future HIMAA is to transfer a learner's details to another RTO HIMAA staff can offer the RTO a download of the learner's record. This would only hold information regarding the achievements of the learner such as a Statement of Attainment

6.4 Employers

- 6.4.1 Employers do not have access to information about learners except when required for third party assessment purposes
- 6.4.2 It is the learner's discretion to share information with their employer regarding the learners training and assessment

6.5 Protection against Loss of Electronic Records

- 6.5.1 The SMS is backed up in real time to a Cloud server and overnight to servers in three countries
- 6.5.2 Operational records on individual computers are backed up on a weekly basis
- 6.5.3 Operational records on the independent hard drive and internal servers are backed up weekly on a Cloud service

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6.6 Student Support and Administration Officer and Education Officers

- 6.6.1 The Student Support and Administration Officer is responsible for entering and maintaining the learner's details, marks and the printing of Statements of Attainment in the SMS
- 6.6.2 All communications between the learner and Student Support and Administration Officer or the learner's Education Officer are to be uploaded onto the SMS for future reference

6.7 Learners

- 6.7.1 If a learner requires access to their file records they are to complete RTO010 Form Access to Records Request. The learner will receive a download of their record from the SMS
- 6.7.2 Learners may request photocopies of assessment results, Certificates of Achievement or their Statements of Attainment at no cost
- 6.7.3 Learners may request another original Statement of Attainment or Certificate of Achievement to be printed by completing RTO018 Form Credential Request and paying the nominated fee
- 6.7.4 Learners do not have access to other learner's information
- 6.7.5 Learners are required to keep their personal details up to date with HIMAA. If the learner's details change at any time they are to contact the Student Support and Administration Officer and request RTO017 Form Change of Details. After completion the learner should either scan and email or fax the completed form attention the Student Support and Administration Officer
- 6.7.6 Once the form has been received the Student Support and Administration Officer should update the SMS with the new information and scan and upload the form into the learner's online file
- 6.7.7 Any communication with the learner is to be stored on the SMS. Emails sent to the learner through the SMS will be saved automatically in the communications tab against the learner's enrolment. Any other communication is to be either scanned and uploaded or saved into the SMS in the learner's enrolment under the *Communication* tab
- 6.7.8 All learner's records and communications are to be entered into the SMS in a timely manner to ensure that the SMS is current at all times
- 6.7.9 All these processes ensure that HIMAA's electronic records for each learner are current, correct and ready for the VET Regulator to inspect at any time

6.8 Quality Indicator Reporting

- 6.8.1 Information/data is to be collected by the Student Support and Administration Officer from March and provided to the Quality and Compliance Officer prior to the beginning of May so that it can be reported to the National VET Regulator prior to the 30th June. The data from the Student Management System (Business Applications) contains the number of enrolments for each unit of competency that HIMAA has on scope, as well as the students who have successfully completed the course and have been issued a Statement of Attainment

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- 6.8.2 Once the Quality and Compliance Officer receives this information it is analysed and the numbers of students who enrolled into the unit and the number of completions is compiled. This information is entered on the NCVER website on the Competency Completion Online System (CCOS)
- 6.8.3 The final report which consists of the Learner and Employer Questionnaire feedback, is downloaded from Survey Methods and is read and analysed throughout the year and a Quality Indicator Summary Report from the ASQA website is completed with the analysis. This is sent to the National VET Regulator via an email to qidata@asqa.gov.au
- 6.8.4 Once the information has been sent to the National VET Regulator a submission successful email is sent to HIMAA. This is kept by the Quality and Compliance Officer on G drive in the folder for the required year of the report e.g. \\Himaaserver\g\ANNEMARIE\Quality Indicators\Reports for 2013\Report 2013\Quality Indicator Reports
- 6.8.5 A hard copy of each report is also filed in the folder located in the Quality and Compliance Officer's office in the folder named *Quality Indicator Reports*
- 6.9 AVETMISS Reporting**
- 6.9.1 AVETMISS data is captured on the enrolment form for the course the learner is requesting. This information is collected on enrolment of the learner and the learner is informed where and how this information is used prior to the enrolment. The student is informed on how their information is used and where and the purpose of use
- 6.9.2 HIMAA's Student Support and Administration officer is responsible for entering the information from the enrolment form into the Student Management System (SMS)
- 6.9.3 The Quality and Compliance Officer is responsible for reporting the information to NCVER and that the quality and information is correct and current
- 6.9.4 HIMAA uses the information gained from the statistical data to, provide quality training and assessment and improve its practices as well as determine how we can provide the best training for our learners. Continuous Improvement action requests are completed and tasks allocated to responsible staff to ensure that we meet all learners' needs
- 6.9.5 AVETMISS report information is discussed and analysed at the Education Services team meeting. The data is used for vital demographic information that can inform better targeting of content and delivery methods to accommodate learning style variations due to
- Gender mix
 - CALD
 - Disability
 - Socioeconomic variation
 - Generation (age)
 - Level of education

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