

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
Definitions 1.1	Brokering Services means the recruitment of individuals to participate in training that is to be subsidised under this VET Funding Contract, by an individual or organisation in exchange for payment from the Training Provider or the student, but excludes activities carried out by salaried individuals who are employees of the Training Provider on the Training Provider's payroll , whose role includes the identification and recruitment of potential students.	Contract variation to clarify that it is not only 'salaried employees', but employees under any type of direct employment arrangement, that are <u>not</u> considered to be brokers.
Definitions 1.1	Executive Director means the Executive Director, Training Market Quality Services Division	Contract variation to reflect the re-naming of the Division following an organisational realignment.
Definitions 1.1	Free TAFE for Priority Courses List means the specific list of courses for which TAFE Institutes and Dual Sector Universities (as defined in the Act) must apply a fee waiver/exemption under the Free TAFE for Priority Courses initiative, issued by the Department from time to time.	New definition inserted, as per Contract variation (issued directly to TAFEs and Dual Sector universities via correspondence of 14 August 2018) to implement the Free TAFE for Priority Courses Initiative.
Definitions 1.1	Funded Scope means the specific list of courses for the delivery of which the Training Provider is entitled to be paid Funds under this VET Funding Contract, as set out in Schedule 2 and varied from time to time pursuant to this VET Funding Contract.	Contract variation to correct a typographical error.
Definitions 1.1	RPL means recognition of prior learning, being a process of assessment of any skills and knowledge that an individual has achieved outside the formal education and training system, in order to determine the extent to which an individual has achieved the required learning outcomes, competency outcomes, or standards for entry to, and/or partial or total completion of, a qualification. an assessment process that assesses the competency of an individual that may have been acquired through formal, non-formal (such as previously unrecognised skills and knowledge), or informal learning. This process determines the extent to which an individual has achieved the required learning outcomes, competency outcomes, or standards for entry into, and/or partial or total completion of a program of study. For the avoidance of doubt, RPL does not include credit transfer or recognition of current competency.	Contract variation to reflect the wording used in the latest version of the AVETMISS Data element definitions.
Clause 8.2(c)	8.2 (c) the Department may vary any or all parts of the Funds that are to be paid to the Training Provider in respect of one or more Eligible	Contract variation to correct a typographical error.

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	Individuals under this VET Funding Contract by issuing a Notice at least 10 Business Days before the variation will take effect, including:	
Clause 10.15(a)	<p>Clause restructured as follows:</p> <p>10.15 Clause 10.13 does not:</p> <p style="margin-left: 40px;">a) apply to any signature of the Training Provider itself, any person signing a document on behalf of the Training Provider, or a representative of the Training Provider on the Peer Review Panel, where that signature:</p> <p style="margin-left: 80px;">i) binds that person to a contract with the Department or an amendment to such a contract; or</p> <p style="margin-left: 80px;">ii) is on a Notice,</p> <p>including for the purposes of execution of an acceptance form by the Training Provider binding the Training Provider to the terms of this VET Funding Contract; or</p>	Contract variation to restructure the Clause for clarity - no change to the wording or meaning.
Clause 15.1 (c) (i)	15.1(c)(i) ... addressed to the Executive Director, Training Market Quality Services ...	Contract variation to reflect the re-naming of the Division following an organisational realignment.
Page 1 of Schedule 1	<p>18. TAFE and Learn Local Eligibility Exemptions for up to 45%20% of Commencements</p> <p>20. Program X Skills First Youth Access Initiative</p> <p>22. NDIS TAFE Training Campaign</p> <p>23. Free TAFE for Priority Courses</p> <p>24. Data Systems; and</p> <p>25. Links to useful websites</p>	<p>18. Updated to reflect CN 2018-23 – Contract variation to increase from 15% of commencements to 20% of commencements for the TAFE and Learn Local Eligibility Exemptions initiative.</p> <p>20. Updated to reflect CN 2018-06 – Contract variation to change the name of this initiative from Program X to <i>Skills First Youth Access Initiative</i>.</p> <p>22. Updated to reflect Contract variation to implement the NDIS TAFE Training Campaign initiative (issued directly to TAFEs and Dual Sector universities via correspondence 12 July 2018).</p> <p>23. Updated to reflect Contract variation to implement the Free TAFE for Priority Courses initiative (issued directly to TAFEs and Dual Sector universities via correspondence of 14 August 2018).</p> <p>24. and 25. – numbering updated as a consequence of adding new initiatives.</p>

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
Clause 7.3 of Schedule 1	7.3 The information must be consistent with the qualifications or units of competency to be attained and must be customised (as required) for the needs of the an Eligible Individual or group of Eligible Individuals, including any need for particular the support identified for an Eligible Individual in the Pre-Training Review. Where the Pre-Training Review identifies particular support for an Eligible Individual, the support to be provided can either be documented in the Training Plan; or provided to that Eligible Individual separately in an individualised format.	Contract variation to clarify that if particular support needs identified in a Pre-Training Review are documented elsewhere and provided to a student individually (for example in an individual support plan), this may be referred to as an attachment to the Training Plan, rather than documented in the Training Plan.
Clause 11.4 of Schedule 1	11.4 In instances where competency based completions are involved, and where the employer signoff has not yet been received at the time when supervised training and/or assessment has concluded , an auditor will consider the final point of Evidence of Participation relating the student's engagement in supervised training and/or assessment.	Contract variation for the purposes of clarification.
Clause 13.29 of Schedule 1	13.29 ... (subject to the Training Provider being eligible for the payment of Contact Hour Funds in respect of that course or qualification provided to that Eligible Individual and subject to Clause 13.31 of this Schedule 1).	Updated to reflect CN 2018-24 – removal of arrangements to share the cost of training with Commonwealth jobactive agencies.
13.30(a) of Schedule 1	13.30(a) ... foregone foregone ...	Contract variation to correct a spelling error.
Clause 13.31 of Schedule 1	13.31 The Department will not pay a Fee Concession Contribution to the Training Provider in relation to individuals who are referred job seekers. A referred job seeker for the purposes of this Clause 13.34 is an individual who holds a standard Job Seeker Referral Form. In these instances, with prior agreement of the referring agency, the Training Provider must invoice the referring agency directly for the portion of the tuition fee not covered by the referred job seeker. The Training Provider must report the correct Fee Concession/Exemption Identifier for this, which may be subject to annual reconciliation with the Commonwealth. This Clause has been left intentionally blank.	Updated to reflect CN 2018-24 – removal of arrangements to share the cost of training with Commonwealth jobactive agencies.
Clause 13.33 of Schedule 1	13.33 The Fee Waiver/Exemption Contribution payable will be calculated:	New section inserted as per Contract variation to implement the Free TAFE for Priority Courses initiative (issued directly to TAFEs and Dual Sector universities via correspondence of 14 August 2018).

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	<ul style="list-style-type: none"> a) For fee waivers/exemptions granted under the Free TAFE for Priority Courses initiative in accordance with Clause 23 of Schedule 1, by multiplying: <ul style="list-style-type: none"> i) the applicable 'Free TAFE Contribution per Hour' (fixed value) for the course (as identified on the 'Free TAFE Fee Waiver Reimbursement Schedule'); and ii) the number of hours for which the Training Provider is entitled to be paid the Contact Hour Funds in relation to the delivery of the training and assessment for that course to that Eligible Individual; or b) For all other fee waivers/exemptions, by multiplying: <ul style="list-style-type: none"> i) the applicable 'Fee Waiver/Exemption Contribution per Hour' (fixed value) for the course (as identified on the Student Tuition Fee Contribution Report); and ii) the number of hours for which the Training Provider is entitled to be paid the Contact Hour Funds in relation to the delivery of the training and assessment for that course to that Eligible Individual. 	
<p>Clause 18 of Schedule 1</p>	<p>TAFE AND LEARN LOCAL ELIGIBILITY EXEMPTIONS FOR UP TO 15% 20% OF COMMENCEMENTS</p> <p>18.2 The number of commencements exempted under Clause 18.1 in a calendar year (as identified where the Eligibility Exemption Identifier in the NAT00120 file has been set to "Y"), cannot exceed 15%20% of the Training Provider's total number of commencements for that calendar year, as defined in clause 18.3, unless directed by the Department.</p> <p>18.3 For the purposes of this initiative, the total number of commencements for the calendar year excludes commencements recorded against Funding Source Identifier - State Training Authority 'LVP', 'LVL', 'ASP', 'ASL', 'BWP', 'BWL', 'DIP', 'DIL', 'UPP' and any other identifier as determined by the Department from time to time.</p> <p>18.6 Preference for exemptions should be granted to individuals seeking to enrol in training that meets identified skills shortages</p>	<p>Clause 18.2 and 18.3 - updated to reflect CN 2018-23 - increase from 15% of commencements to 20% of commencements for the TAFE and Learn Local Eligibility Exemptions initiative.</p> <p>Clause 18.6 - updated to reflect Contract variation to implement the Free TAFE for Priority Courses initiative (issued directly to TAFEs and Dual Sector universities via correspondence of 14 August 2018).</p> <p>Clause 18.7 – Contract variation to correct a drafting error.</p>

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	<p>and localised labour market needs and/or improves their employment prospects, and in accordance with guidance as issued by the Department from time to time.</p> <p>18.7 Providers must The Training Provider <u>must</u> ...</p>	
<p>Clause 20 of Schedule 1</p>	<p>20. PROGRAM X SKILLS FIRST YOUTH ACCESS INITIATIVE</p> <p>20.1 If the Training Provider is:</p> <ul style="list-style-type: none"> a) a TAFE Institute or a Dual Sector University as defined in the Act; b) a Learn Local Organisation; or c) the Centre for Adult Education or AMES (each as defined in the Act); <p>the Training Provider must apply a fee waiver/exemption for an Eligible Individual, if it sights and retains a validly endorsed referral form from either the Department of Health and Human Services, the Department, the Department of Justice and Regulation, or a referring agency. A referring agency is defined for this purpose as an organisation that is contracted by the Department of Health and Human Services or the Department of Justice and Regulation to deliver child protection or youth justice support services. based in the State of Victoria that currently receives funding or is contracted by the Victorian Government or the Commonwealth Government to provide services to children, youth and/or families.</p> <p><i>Purpose</i></p> <p>20.2 Program X The <i>Skills First Youth Access Initiative</i> is to support young people who have been, or are currently on, a Youth Justice Order or a Child Protection Order, and who are not more than 22 years of age, to participate in education and training.</p> <p><i>Application, Payment and Reporting of the fee waiver/exemption</i></p> <p>20.5 The Training Provider must apply a fee waiver/exemption to all Eligible Individuals who have been referred to training under Program X the <i>Skills First Youth Access Initiative</i> in accordance with the Guidelines about Fees.</p>	<p>Updated to reflect CN 2018-06 – Contract variation to change the name of this initiative from Program X to <i>Skills First Youth Access Initiative</i>.</p> <p>Contract variations to Clauses 20.1, 20.2 and 20.7 - clarifications provided by the program area.</p>

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	<p>20.6 The Training Provider will receive a contribution from the Department as a result of waiving/exempting the fee to an Eligible Individual under Program X the <i>Skills First Youth Access Initiative</i> in accordance with this Schedule 1.</p> <p>20.7 The Training Provider must report to the Department all fee waivers/exemptions granted to Eligible Individuals in accordance with the fee waiver/exemption reporting requirements outlined in the Victorian VET Student Statistical Collection Guidelines, in particular using the relevant Fee Exemption/Concession Type Identifier.</p>	
<p>Clause 21 of Schedule 1</p>	<p>21.3 If the Training Provider is:</p> <ul style="list-style-type: none"> a) a TAFE Institute or a Dual Sector University as defined in the Act; b) a Learn Local Organisation; or c) the Centre for Adult Education or AMES (each as defined in the Act); <p>The Training Provider must grant an Eligible Individual enrolled in training under the Back to Work Scheme a fee concession in accordance with Clause 4.7 of this Schedule 1 and the Guidelines about Fees.</p> <p>21.4 For the purposes of Clause 13.30 of this Schedule 1, the 'Maximum Fee Concession Contribution per hour' for each course will be determined based on the 'Indigenous Completions Initiative' column of the Client Tuition Fee Contribution report (i.e. which provides a maximum across all qualification levels).</p> <p>21.5 Where a Training Provider grants a fee concession pursuant to Clause 21.3 of this Schedule 1, the training activity must be reported with the Fee Exemption/Concession Type Identifier as:</p> <ul style="list-style-type: none"> a) 'H' if the student presents a valid Healthcare Card, 'P' if the student presents a valid Pensioner Concession Card, 'V' if the student presents a valid Veteran Gold Card; or; b) 'O' (other) if the student does not hold a valid Healthcare Card, Pensioner Card or Veteran Gold Card. 	<p>Contract variation to reflect settings for this program that were not fully documented in the Contract.</p>

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
N/A	<p>23. FREE TAFE FOR PRIORITY COURSES</p> <p>23.1 The Training Provider must apply a fee waiver/exemption for an Eligible Individual who commences a course on the Free TAFE for Priority Courses list on or after 1 January 2019 and who meets the eligibility criteria under this Clause 23.</p> <p><i>Eligibility</i></p> <p>23.2 An Eligible Individual may only receive a fee waiver/exemption for a commencement in one course on the Free TAFE for Priority Courses list.</p> <p>23.3 Prior to applying a fee waiver/exemption under this Clause 23, the Training Provider must, in accordance with the Guidelines About Determining Student Eligibility and Supporting Evidence, seek confirmation from the individual that they have not received a fee waiver/exemption under this Clause 23 for any course on the Free TAFE for Priority Courses List other than the course they are seeking to enrol in.</p> <p>23.4 For the avoidance of doubt, an Eligible Individual who seeks to recommence the same course for which they have received a fee waiver/exemption under this Clause 23 at another training provider that is a TAFE Institute or Dual Sector university (each as defined in the Act) will be eligible to continue receiving the fee waiver/exemption for the duration of that course.</p> <p>23.5 All other eligibility rules apply as specified in this VET Funding Contract and <i>the Guidelines About Determining Student Eligibility and Supporting Evidence</i>.</p> <p><i>Reporting Requirements</i></p> <p>23.6 Where the Training Provider has applied a fee waiver/exemption for a course on the Free TAFE for Priority Courses List in accordance with the requirements of this Clause 23, the associated training activity must be reported using a two character length Fee Exemption/Concession Type Identifier where:</p> <p style="margin-left: 20px;">a) The first character matches the values as identified in the Victorian VET Student Statistical Collection Guidelines; and</p>	<p>New section inserted as per Contract variation to implement the Free TAFE for Priority Courses initiative (issued directly to TAFEs and Dual Sector universities via correspondence of 14 August 2018).</p>

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	<p>b) The second character is 'T'.</p> <p><i>Determination and Payment of Funds</i></p> <p>23.7 Payment of the Fee Waiver/Exemption Contribution to the Training Provider in respect of an Eligible Individual to whom a fee waiver/exemption has been applied under this Clause 23 will be made monthly in arrears on the basis of Student Statistical Reports submitted by the Training Provider to the Department in accordance with this VET Funding Contract.</p> <p>23.8 The Department will calculate the payment amount for training delivered under this Clause 23 using the methodology as described in Clause 13.33 (a) of this Schedule 1.</p>	
N/A	<p>23. TAFE NDIS TRAINING CAMPAIGN</p> <p><i>Purpose</i></p> <p>23.1 This Clause 22 sets out the Training Provider's roles and responsibilities with respect to delivering training as part of the TAFE NDIS Training Campaign to Eligible Individuals who:</p> <ul style="list-style-type: none"> a) undertake the 22469VIC - Course in Introduction to the National Disability Insurance Scheme (the 'Course in NDIS'); and b) then subsequently or concurrently undertake any one of the following five NDIS related qualifications (the 'NDIS Related Qualification'): <ul style="list-style-type: none"> i) Certificate III in Individual Support ii) Certificate IV in Disability iii) Certificate IV in Allied Health Assistant iv) Certificate III in Community Services v) Certificate IV in Mental Health <p><i>Time Period for the TAFE NDIS Training Campaign</i></p> <p>23.2 The Training Provider agrees that this Clause 22 applies to training activity that commences between 1 July 2018 and 30 June 2019:</p>	<p>New section inserted as per Contract variation to implement the NDIS TAFE Training Campaign initiative (issued directly to TAFEs and Dual Sector universities via correspondence 12 July 2018).</p>

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	<p><i>Eligibility Exemptions</i></p> <p>23.3 Under this Clause 22, the Training Provider may:</p> <ul style="list-style-type: none"> a) exempt an individual undertaking the 'Course in NDIS' from the following eligibility requirements: <ul style="list-style-type: none"> i) 'upskilling' (Clause 2.2(c)(v) of this Schedule 1); ii) 'two in a year' (Clause 2.3 (a) of this Schedule 1)' iii) 'two at a time' (Clause 2.3(b) of this Schedule1); iv) 'two at level in a lifetime' (Clause 2.3(c) of this Schedule 1); and/or v) 'two "courses in..." in a lifetime' (Clause 2.3(d) of this Schedule 1); and b) exempt an individual that has enrolled in the 'Course in NDIS' from the following eligibility requirements, if that individual commences any of the 'NDIS Related Qualifications' between 1 July 2018 and 30 June 2019: <ul style="list-style-type: none"> i) 'upskilling' (Clause 2.2(c)(v) of this Schedule 1); ii) 'two in a year' (Clause 2.3 (a) of this Schedule 1)' iii) 'two at a time' (Clause 2.3(b) of this Schedule1); iv) 'two at level in a lifetime' (Clause 2.3(c) of this Schedule 1); and/or v) 'two "courses in..." in a lifetime' (Clause 2.3(d) of this Schedule 1). <p>23.4 For the avoidance of doubt, in the event that an Eligible Individual undertakes the 'Course in NDIS', but elects not to undertake an 'NDIS Related Qualification', the Training Provider may still claim funds under this initiative for the 'Course in NDIS.'</p> <p>23.5 Training activity reported using Funding Source Identifier - State Training Authority 'DIP' or 'DIL' will not be considered when calculating the exemption ratio referred to at Clause 18.3 of this Schedule 1.</p>	

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	<p><i>Impact of participating in this initiative on an Eligible Individual's Future Entitlement to Funded Training</i></p> <p>23.6 As part of the Pre-Training Review, and prior to the commencement of training, the Training Provider must advise an Eligible Individual that:</p> <ul style="list-style-type: none"> a) participation in the 'Course in NDIS' under this Clause 22 will <u>not</u> impact their future Entitlement to Funded Training and will not be taken into account when assessing: <ul style="list-style-type: none"> i) any of the previous highest qualifications held by that individual ('upskilling' - Clause 2.2(c)(v) of this Schedule 1); ii) the course maximum for the purposes of the 'two in a year' limit and the 'two at a time' limit (Clauses 2.3 (a) and (b) of this Schedule 1); and/or iii) the course maximum for the purposes of the 'two at level in a lifetime'; and/or 'two 'Courses in...' in a lifetime' criteria (Clauses 2.3 (c) and (d) of this Schedule 1); and b) participation in any of one of the five 'NDIS Related Qualifications' under this Clause 22 will <u>not</u> be taken into account when assessing eligibility for participation in any of the other 'NDIS Related Qualifications' during the time period of this initiative (from 1 July 2018 to 30 June 2019) when determining: <ul style="list-style-type: none"> i) any of the previous highest qualifications held by that individual ('upskilling' - Clause 2.2(c)(v) of this Schedule 1); ii) the course maximum for the purposes of the 'two in a year' limit and the 'two at a time' limit (Clauses 2.3 (a) and (b) of this Schedule 1); and/or iii) the course maximum for the purposes of the 'two at level in a lifetime'; and/or 'two 'Courses in...' in a lifetime' criteria (Clauses 2.3 (c) and (d) of this Schedule 1); and 	

SUMMARY OF CHANGES TO 2018-19 TAFE AND DUAL SECTOR VET FUNDING CONTRACTS

Clause Reference (version 1.0)	Amendment	Explanation
	<p>c) participation in any one of the five 'NDIS Related Qualifications' <u>will</u> be taken into account when assessing eligibility for any other government subsidised training that is not one of the 'NDIS Related Qualifications' and for 'NDIS Related Qualifications' commenced after 30 June 2019.</p> <p><i>Reporting Requirements</i></p> <p>23.7 Training delivered must be reported via SVTS:</p> <p>a) under the Funding Source Identifier – State Training Authority 'DIP' for the 'Course in NDIS', and for 'NDIS Related Qualifications' where the Enrolment Type is 'Non-Apprenticeship/Traineeship';</p> <p>b) under the Funding Source Identifier – State Training Authority 'DIL' for 'NDIS Related Qualifications' where the Enrolment Type is 'Apprenticeship/Traineeship'; and</p> <p>c) with the Eligibility Exemption Indicator set to "Y" where the Training Provider has granted an exemption to the eligibility criteria in accordance with this Clause 22.</p>	
Clause 22 of Schedule 1	Clause 22 becomes Clause 24	Numbering updated as a consequence of inserting new Clauses 23 and 24.
Clause 22.3 of Schedule 1	24.3 When the Training Provider is nominated as the training provider as contemplated by Clause 23.2 Clause 24.2 ...	Contract variation of Clause 24.3 to correct a typographical error.