




























## GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (MAIN CONTRACT)

2018-19 Contract (clause references based on Standard v3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
Background	<b>CLAUSE MOVED IN</b> 	Part E was previously clause 3.2 of the 'Objectives of this VET Funding Contract' (requiring the training provider to acknowledge and agree that this Contract is onerous and they've made all efforts to understand it). This is moved here as it is more relevant as background than as an objective of the Contract.
Clause 1 Definitions and Interpretation	<b>RESTRUCTURED</b> 	A new page is added with items from the previous list of definitions that don't need explanations. They are moved here and grouped together for easier reference and to streamline the main list of definitions: <ul style="list-style-type: none"> <li>• Acronyms and abbreviations – shortened versions of general terms and legislation referred to in the Contract.</li> <li>• Reference documents issued by the Department.</li> </ul> The clauses in the 'General' section are restructured to group similar clauses together and to add new subheadings to improve clarity.
	<b>CLAUSES MOVED IN</b> 	Clause 1.3 was previously clause 3.3 (states that the <i>Skills First</i> objectives will aid in the interpretation of the Contract where there is ambiguity). This is more relevant alongside other information about how to interpret the Contract.  Clause 1.10 was previously clause 3.5 (states that the Department may take account the training provider's performance under this Contract when considering future contractual arrangements). This is more relevant under the 'Powers, functions and discretion of the Department' section than as an objective of the Contract.
	<b>REWORDED</b> 	Changes in terminology: <ul style="list-style-type: none"> <li>• 'course/qualification' is renamed 'program' – this is changed to align with the terminology used in the AVETMISS data reporting standards.</li> <li>• 'unit of competency/module' is renamed 'subject' - this is changed to align with the terminology used in the AVETMISS data reporting standards</li> </ul> Amendments to defined terms: <ul style="list-style-type: none"> <li>• VET Funding Contract is further abbreviated to Contract</li> <li>• Entitlement to Funded Training is renamed <i>Skills First</i> Entitlement</li> <li>• Eligible Individual is renamed <i>Skills First</i> Student and is clarified to mean a person who is both eligible for <i>Skills First</i> subsidised training and who is enrolled in such training.</li> <li>• Training Contract is amended to remove details and refer instead to this being defined as per regulatory and legislative requirements.</li> <li>• Disallowed Person is amended to remove part (b). This removes the requirement for training providers to form judgements about the Department's view of how actions taken by a regulator could impact on the ability of another registered training organisation's ability to deliver Training Services.</li> <li>• Material Breach is amended so that the second part of the defined term refers to it being a Material Breach to fail to provide training and assessment in accordance with the <i>Skills First</i> objectives.</li> </ul>
	<b>NEW DEFINITIONS</b> 	<ul style="list-style-type: none"> <li>• Dual Sector University (TAFE/Dual Sector Contracts only)– defines the term as the four current Dual Sector universities who hold VET Funding Contracts for easier reference within clauses.</li> <li>• Fee Concession – provides a definition consistent with the new definition of a Fee Waiver.</li> <li>• Fee Waiver – replaces 'fee waiver/exemption' and provides a single definition, inclusive of all circumstances where a training provider must not charge a tuition fee (where it is required under programs or initiatives, or where the Department directs training providers not to charge a fee in specific circumstances).</li> <li>• Hours Attended – refers to this term being as it is defined in the Victorian VET Student Statistical Guidelines</li> <li>• Maximum Payable Hours – replaces the previous defined term Maximum Schedule Hours.</li> <li>• Scheduled Hours – refers to this term being as it is defined in the Victorian VET Student Statistical Guidelines</li> </ul>
	<b>DELETED DEFINITIONS</b> 	<ul style="list-style-type: none"> <li>• Duration – no longer required as the clause this term was used in is deleted.</li> <li>• Intensity - no longer required as the clause this term was used in is deleted.</li> <li>• Regional Postcode – deleted as this is only used once in the Contract and the meaning can be explained within the relevant clause.</li> <li>• Maximum Scheduled Hours – replaced with new definition of Maximum Payable Hours.</li> <li>• National Register – this term was only used in one place in the Contract, in relation to what students may be eligible to enrol in. Given that students can only be enrolled in programs on the training provider's Funded Scope under the Contract, it can be taken as a given that those programs will be on the National Register.</li> <li>• Online Delivery Restriction List – deleted as the clauses this term was used in are deleted.</li> <li>• Peer Review Panel - no longer required as the clauses this term was used in are deleted.</li> </ul>













**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (MAIN CONTRACT)**

2018-19 Contract (clause references based on Standard v3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
		<ul style="list-style-type: none"> <li>Register of Trainers and Assessors - no longer required as the clause this term was used in is deleted.</li> <li><i>Skills First</i> Provider Selection Process – not required as this process will not be conducted in relation to the 2021 Contracts.</li> <li>Statement of Fees – this term is not used anywhere within the Contract.</li> </ul>
Clause 2 Term of this VET Funding Contract	<b>RENAMED</b> 	This section is now called 'Application and Term of this Contract'
	<b>RESTRUCTURED</b> 	The order of the two clauses has been swapped, so that information about the time period for commencements in training comes first, and circumstances where the Term ends comes second.
Clause 3 Objectives of this VET Funding Contract	<b>RENAMED</b> 	This section is now called 'Objectives'
	<b>CLAUSES MOVED OUT</b> 	<p>This clause is edited to only include things that are specifically 'objectives' of the Contract. Clauses that are either rights of the Department or obligations of the training provider are moved into other sections, alongside similar clauses.</p> <p>Previous clause 3.2 becomes Part E of the Background section (requiring the training provider to acknowledge and agree that this Contract is onerous and they've made all efforts to understand it). This is something that training providers agree to as part of accepting a Contract.</p> <p>Previous clause 3.3 becomes clause 1.3 (the Skills First objectives will aid in the interpretation of the Contract where there is ambiguity).</p> <p>Previous clause 3.4 becomes clause 4.12 (requires the training provider to perform its obligations under the Contract consistent with, and in a manner that promotes, the <i>Skills First</i> objectives.)</p> <p>Previous clause 3.5 becomes clause 1.10 (states that the Department may take account the training provider's performance under this Contract when considering future contractual arrangements).</p>
	<b>DELETION</b> 	Previous clauses 3.1 (d) and (e) are deleted as clause 3.1(d) duplicated clause 8.2(a) and clause 3.1(e) duplicated clauses 4.5(a) and 10.3.
Clause 4 General Obligations of Training Provider	<b>RESTRUCTURED</b> 	Under the 'Comply with laws' section, the information is reorganised into a single list to make it easier to read.
	<b>CLAUSES MOVED IN</b> 	<p>Clause 4.9(i) was previously standalone clause 12 (requires training providers to cooperate with the Department to resolve student complaints or other issues related to the delivery of the Training Services). It is more relevant here as an aspect of training provider accountability, rather than as a standalone clause.</p> <p>Clause 4.11 was previously clause 5.2(i) (requirement for training providers to make all reasonable efforts to work with, communicate effectively with, and maintain the confidence of, all stakeholders affected by this Contract). These clauses are more relevant alongside other general obligations rather than being an aspect of the scope of Training Services.</p> <p>Clauses 4.2, 4.3 and 4.5 were previously clauses 5.11, 5.12 and 5.13 ('Requirements for <i>Skills First</i> Teachers'). These clauses are more relevant alongside other general obligations rather than being an aspect of the scope of Training Services.</p>
	<b>CLAUSES MOVED OUT</b> 	Previous clause 4.5(c) becomes clause 7.1 of Schedule 1 (requirement for amount of training to be determined with reference to the National RTO Standards). This is more relevant alongside other operational requirements for planning of training and assessment, rather than being an aspect of accountability to the Department.
	<b>NEW WORDING (CLARIFICATION)</b> 	Clause 4.8 (g) (requirement to not employ, engage or otherwise deal with a Disallowed Person) includes new wording to clarify that this requirement applies <b>in connection with</b> the VET Funding Contract. This narrows the scope of this provision.
	<b>DELETION</b> 	<p>Previous clause 4.7 is deleted (general requirement to 'comply with Schedule 1') as the interpretation clause (Clause 1.2(i)) makes it clear that any schedules or attachments form part of the Contract.</p> <p>Previous clause 4.5(d) is deleted (requirement to demonstrate the appropriateness of Duration and Intensity) as the Department can request this information on an individual basis if needed.</p>
















**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (MAIN CONTRACT)**

2018-19 Contract (clause references based on Standard v3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
		Previous clause 4.5(a) is deleted (requiring a volume of learning in alignment with the AQF, or if there is a deviation, for this to be documented in the Training and Assessment Strategy). This is covered sufficiently under clause 6.2 of Schedule 1, outlining requirements for what is to be documented in the TAS if a program is to be delivered in a shorter time period than what is described in the AQF.
Clause 5 Scope and Provision of the Training Services	<b>RENAMED</b> 	This section is now called 'Scope of the Training Services'
	<b>CLAUSE MOVED IN</b> 	Clause 4.12 was previously clause 3.4 (requires the training provider to perform its obligations under the Contract consistent with, and in a manner that promotes, the <i>Skills First</i> objectives). This is more relevant as an aspect of the scope of Training Services rather than as an objective of the Contract.
	<b>CLAUSES MOVED OUT</b> 	Previous clauses 5.3 and 5.4 (the 'physical presence requirement') become clause 2.2(c) of Schedule 1, to group together all considerations for determining student eligibility.
	<b>REWORDED</b> 	Previous clauses 5.6 and 5.7 (covering the process for setting Commencement Allocations and Program (Qualification) Allocations in separate sections) are combined to describe a single process to set both types of allocations. This is because the process is the same and the previous separate clause on Qualification Allocations repeated and referred back to the clause on Commencement Allocations in a way that was unnecessarily repetitive.
	<b>DELETIONS</b> 	<p>Previous clause 5.1 is deleted (requirement for the Training Provider to deliver high quality Training Services in accordance with the VET Funding Contract), as expectations about quality are covered more clearly in the <i>Skills First</i> objectives at clause 3.</p> <p>Previous clause 5.2 is deleted to further streamline the Contract, as it is simply a summary of key obligations in Schedule 1 and does not create any substantive obligations or provide additional specific information about provision of the Training Services.</p> <p>Previous clause 5.9 is deleted (Training Provider Groups not being permitted to have overlapping Funded Scope) as these are matters that are determined by the Department at the time of entering into a contract with each training provider, or when subsequently considering applications for additions to Funded Scope.</p> <p>Previous clause 5.11(a) is deleted (requiring that all training and assessment is delivered by training providers who are on the training provider's Register of Trainers and Assessors). There is no longer a requirement to keep a formal Register of Trainers and Assessors, however training providers must still keep records to show which <i>Skills First</i> Teacher is delivering each subject in programs on the Funded Scope.</p>
Clause 6 Subcontracting of the Training Services	<b>RENAMED</b> 	This section is now called 'Subcontracting'
	<b>RESTRUCTURED</b> 	Under the heading 'Subcontracting Requirements Generally', the content of previous clauses 6.9, 6.10 and 6.11 is grouped into two new clauses: <ul style="list-style-type: none"> <li>clause 6.9 – clauses about the specific content that must be in a subcontract arrangement</li> <li>clause 6.10 – clauses about the conduct of a subcontract arrangement.</li> </ul>
	<b>NEW WORDING (CLARIFICATION)</b> 	New clause 6.2(b) provides clarification that Brokering Services are a form of subcontracting. This does not change any obligations – it is only a clarification.
	<b>DELETION</b> 	<p>Previous clause 6.7 is deleted (requirement to record <i>Skills First</i> Teachers engaged under a subcontracting arrangement in the Register of Trainers and Assessors).</p> <p>There is no longer a requirement to keep a formal Register of Trainers and Assessors, however training providers must still keep records to show which <i>Skills First</i> Teacher is delivering each subject in programs on the Funded Scope.</p>
Clause 7 Reporting and provision of information	<b>RENAMED</b> 	This section is now called 'Reporting and Information'
	<b>RESTRUCTURED</b> 	<p>Previous sub-clauses 7.1 (b), (c) and (d) are combined into new subclauses 7.1 (b) and (c), to reduce repetition.</p> <p>Previous clause 7.12 becomes clause 7.2 (reporting of Brokering Services). This is moved to follow other reporting requirements, rather than being placed later in this section, after other clauses about notification of events.</p>













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2018-19 Contract (clause references based on Standard v3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
	<b>REDUCED ADMINISTRATIVE BURDEN</b> 	Clauses 7.3, 7.5, 7.6, 7.7 and 7.8 (requiring training providers inform the Department of specific events) are amended from being formal 'Notices' and can now be notified to the Department via SVTS.
	<b>DELETIONS</b> 	Previous clauses 7.2 and 7.3 are deleted (requiring reports on anticipated commencements upon request by the Department). These clauses are superseded by the Program Delivery Plan process.  Previous clause 7.11 is deleted (requiring Notice of events that occur after an application for a Contract is first made during the provider selection process). This Notice will be required to be made prior to acceptance of a Contract when a provider selection process is conducted.
Clause 8 Funding, payments and other financial arrangements	<b>RENAMED</b> 	This section is now called 'Payments and other Financial Arrangements'
	<b>RESTRUCTURED</b> 	Previous clause 8.6 ('Recovery of amounts') is split into smaller sentences to improve readability and becomes clauses 8.8, 8.9 and 8.10.
	<b>NEW WORDING (CLARIFICATION)</b> 	Clause 8.8 requires that if a training provider receives any amounts it is not entitled to be paid under the Contract, that amount is a debt due to the Department and must be promptly repaid. In the previous Contract, this clause required any such debt to be repaid within 30 business days after the Department requires it.  This clause is reworded to also incorporate reference to repayment arrangements agreed in writing between the training provider and the Department. In the absence of any such repayment arrangement, the requirement to repay debts continues to be within 30 business days of the Department requiring it.
Clause 9 GST	No significant changes	-
Clause 10 Accounts and Records	<b>RENAMED</b> 	This section is now called 'Records'
	<b>RESTRUCTURED</b> 	This section is extensively edited to remove repetition and make key clauses clearer, however the content remains the same.  New more descriptive subheadings are added.
	<b>NEW WORDING (CLARIFICATION)</b> 	New subclause 10.12(f) is added to state that information related to <i>Skills First</i> Teachers is a particular type of Record the training provider may be required to provide to the Department. This is because there is no longer a requirement to keep a formal Register of Trainers and Assessors.
Clause 11 Audit, review and investigation	<b>RESTRUCTURED</b> 	Previous clauses 11.4 and 11.5 ('Internal audits') are restructured and become clauses 11.4, 11.5, 11.6 and 11.7. They are restructured to reduce potential ambiguity and make it clear that sign off requirements apply to the first and all subsequent internal audits.
	<b>NEW WORDING (CLARIFICATION)</b> 	Clause 11.2(b)(iii) includes additional wording in relation to assistance the training provider may be directed to provide to the Department in the event of an audit, review or investigation. This additional wording is to add the phrase 'including all Records that the Training Provider is required to keep or provide under this Contract'.  This is not a new requirement, rather it is included here so that it does not need to be continually repeated throughout various clauses in Schedule 1 that where particular information is to be kept, it must be provided to the Department for audit, review or investigation purposes.
	<b>DELETION</b> 	Previous clauses 11.6 – 11.12 are deleted (requirement to participate in a Peer Review Panel). These clauses have never been enacted and the intended objective could be achieved through inviting participation in such processes.
Clause 12 Complaints handling	<b>DELETION</b> 	The content of previous clause 12.1 becomes sub-clause 4.9(i) (under 'be accountable'), to require training providers to cooperate with the Department in its resolution of complaints that it receives about the training provider's delivery of training services.  Clause 12 is deleted as a consequence.














**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (MAIN CONTRACT)**

2018-19 Contract (clause references based on Standard v3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
Clause 13 Confidentiality and privacy	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 12</b>
	<b>CLAUSE MOVED IN</b> 	Clause 12.2(i) was previously 12.3 of Schedule 1 (the Department's right to publish training provider fee information). This is moved here as it is a Departmental right, not a training provider reporting obligation.
	<b>NEW OBLIGATION</b> 	New clause 12.8 is added (requires the training provider to notify the Department of any privacy breaches or misuse of data).
Clause 14 Liability, indemnity and insurance	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 13</b>
	<b>DELETION</b> 	Previous clause 14.1 is deleted (warranty of materials submitted as part of the provider selections process), as this is a matter that will be covered in the contract acceptance process when a provider selection process is conducted.
Clause 15 Notices and Representatives	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 14</b>
Clause 16 Dispute resolution	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 15</b>
Clause 17 Enforcement	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 16</b>
	<b>DELETION</b> 	Previous clause 17.6 is deleted (providing additional enforcement rights where a training provider doesn't meet the standard of 'an additional capability and quality assurance process for delivery of training to students with certain individual characteristics' (i.e. an Approved Provider List process). It is not necessary to have a specific enforcement power for this purpose as the general enforcement powers are sufficient.
Clause 18 Termination rights	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 17</b>
	<b>RESTRUCTURED</b> 	Previous clause 18.1 becomes new clauses 17.1 and 17.2 – split into additional clauses to improve readability.
Clause 19 Effect of Suspension or Termination	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 18</b>
	<b>RESTRUCTURED</b> 	Previous clause 19.1 becomes new clauses 18.1 and 18.2. It is split into additional clauses to improve readability.
Clause 20 Survival	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 19</b>
	<b>RESTRUCTURED</b> 	Previous clause 20.1 is reformatted into a table to improve readability.












**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (SCHEDULE 1 – PROGRAM SPECIFICATIONS)**

2018-19 Contract (clause references based on Standard version 3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
Various	<b>DELETION</b> 	<p>To reduce repetition, previous references in various clauses throughout Schedule 1 to providing information to the Department for the purpose of audit, review or investigation are deleted.</p> <p>This does not mean these items of information are no longer required to be provided to the Department. This phrase is just deleted from within clauses, as the requirement to provide them is covered under the Department's rights in Clause 10 (to access Records) and in Clause 11 (for the training provider to give assistance in the event of audit, review or investigation).</p>
Clause 1 Promotional activities, website and other publications	<b>RENAMED</b> 	This section is now called 'Student Information and Protection'
	<b>RESTRUCTURED</b> 	A new subheading of 'Training Provider website and Victorian Skills Gateway' added for clarity. All items that must be published on training provider websites are grouped together in a single list in new clause 1.3.
	<b>CLAUSE MOVED OUT</b> 	Previous clause 1.5 becomes clause 7.4 (requiring learning materials for online training deliver to comply with the principles of the WCAG). This is more relevant to training delivery than consumer information.
	<b>DELETION</b> 	Previous subclause 1.1(g) is deleted (reference to the Online Delivery Restriction list, which no longer included in the Contract).
Clause 2 <i>Skills First</i> Program – eligibility criteria	<b>RENAMED</b> 	Renamed ' <i>Skills First</i> eligibility'
	<b>RESTRUCTURED</b> 	<p>The clauses in this section are placed in a more logical order and new sub-headings are added for clarity and to separate the different types of eligibility requirements.</p> <p>Additional text is added in bold in brackets identifying which requirement is described in each clause when describing the limits on the amount of training.</p> <p>'Eligibility exclusions' are placed last in this sequence of clauses.</p>
	<b>REWORDED</b> 	New clauses 2.3 and 2.4 (impact of age on eligibility) are reworded so that the age categories referred to are mutually exclusive.
	<b>REWORDED</b> 	Previous clause 2.8 becomes new clauses 2.6 and 2.7. Clause 2.8 retains the reference to exemptions from eligibility criteria that can be offered under particular arrangements set out in Part C. New clause 2.7 provides additional clarification that training providers should refer to the Guidelines About Eligibility for further information about programs and circumstances that should not be counted for the purpose of determining eligibility.
	<b>REWORDED</b> 	New clause 2.13(b) (previously clause 2.4(b)), It is reworded to remove the detailed list of individual prisons. It is sufficient to state that prisoners held under the relevant Act are not eligible for <i>Skills First</i> funded training.
	<b>CLAUSE MOVED IN</b> 	<p>Clause 2.2(c) was previously clauses 5.3 and 5.4 of the main Contract (the 'physical presence' requirement). These were moved to group together all considerations to be made about eligibility in the one place.</p> <p>Clauses 2.9, 2.10, 2.11 and 2.12 were previously clauses 3.5 and 3.6. These requirements about enrolling students under 17 are moved to sit alongside other eligibility requirements rather than being placed in the section about sighting and retaining evidence of eligibility.</p>
<b>NEW CLAUSES (CLARIFICATION)</b> 	<p>New clause 2.9 includes additional information to state that students who receive an exemption from school attendance must either be training on a full-time basis or undertaking a combination of training and employment. This reflects the relevant Ministerial Orders governing the exemptions process.</p> <p>New clause 2.10 includes an additional category of an individual who isn't currently, or has never been, enrolled in a Victorian school. Their exemption from school attendance must be signed by a Regional Director.</p> <p>New clause 2.11 clarifies that training providers should refer to the Guidelines About Eligibility for information about the evidence that needs to be sighted and retained before enrolling a student who is under 17 years of age.</p>	

**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (SCHEDULE 1 – PROGRAM SPECIFICATIONS)**













2018-19 Contract (clause references based on Standard version 3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
		New clause 2.12 strengthens the requirement to inform relevant parties when a student who is still under 17 stops attending training or completes their training. Training providers must inform the regional office and (where relevant) the student's school.
Clause 3 Assessing and evidencing eligibility for the <i>Skills First</i> Program	<b>RENAMED</b> 	Renamed 'Assessing and Evidencing Eligibility'
	<b>RESTRUCTURED</b> 	Previous clause 3.1 becomes new clauses 3.1 and 3.2 - long clause broken into smaller sections for clarity (determining eligibility and having a business process). Previous clauses 2.8, 3.2, 3.3, 3.4, 3.7 and 3.8 become new consolidated clauses 3.3, 3.4 and 3.5. These clauses are streamlined to reduce repetition.
	<b>CLAUSES MOVED OUT</b> 	Previous clauses 3.5 and 3.6 become new clauses 2.9, 2.10, 2.11 and 2.12. These are moved to sit alongside other eligibility requirements under the new heading 'Additional eligibility requirements for students under 17 years of age'.
Clause 4 Application and enrolment requirements	<b>RENAMED</b> 	This section is now called 'Pre-Training Review and Enrolment Requirements'
	<b>RESTRUCTURED</b> 	The requirement to have a clear and documented business process for the PTR is moved to appear earlier in the sequence of clauses, so it is not overlooked. The list of items to be considered in the PTR is rearranged to streamline and group like items together and to take undue separate emphasis off online delivery mode.
	<b>CLAUSES MOVED IN</b> 	New clauses 4.1 to 4.7 were previously clauses 5.1 to 5.7 (Pre-Training Review requirements). These are moved here given that the PTR generally occurs as part of the application/enrolment process rather than as part of planning for training and assessment.
	<b>CLAUSE MOVED OUT</b> 	Previous clause 4.4 becomes clause 10.7 (requirement to report the VSN). This is more relevant alongside other reporting requirements than as an aspect of enrolment.
	<b>DELETION</b> 	Previous clause 4.5 is deleted (requirement to report the USI in accordance with the Victorian VET Student Statistical Guidelines). This requirement is covered sufficiently in the Guidelines.
Clause 5 Planning for training and assessment	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 6</b>
	<b>RESTRUCTURED</b> 	Training Plan clauses have been given additional subheadings to make the content clearer. Previous clause 7.21 becomes new clause 6.8 ('further Training Plan requirements for training conducted in a workplace'). This clause is moved to immediately follow the general non-Apprentice/Trainee Training Plan requirements, rather than it being placed at the end of the Training Plan section following Apprentice/Trainee Training Plan requirements.
	<b>CLAUSES MOVED IN</b> 	Clauses 6.5 to 6.19 were previously clauses 7.1 to 7.20 (Training Plan requirements). These are moved here as they are more relevant to planning for training and assessment.
	<b>CLAUSES MOVED OUT</b> 	Previous clause 7.15 (states that the Training Provider's enrolment timelines should not impede the employer's ability to comply with requirements following the commencement of a Training Contract) is moved into the Guidelines About Apprenticeship/Traineeship Training Delivery, as this is not a requirement specific to development of Training Plans.
	<b>DELETIONS</b> 	Previous clauses 7.5 and 7.14 are deleted (specifying that a Training Plan can be hard copy or electronic). Clause 10 of the main Contract makes it clear that any Records can be hard copy or electronic.

**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (SCHEDULE 1 – PROGRAM SPECIFICATIONS)**














2018-19 Contract (clause references based on Standard version 3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
Clause 6 Tuition and other fees	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 5</b>
	<b>RESTRUCTURED</b> 	Information about charging tuition fees is moved in the order of clauses, as it more logically follows for it to be placed after information about Pre-Training Review and enrolment.
	<b>NEW CLAUSE (CLARIFICATION)</b> 	New clause 5.1 is added to specifically state that training providers can charge tuition fees at the level they choose, unless there is a Fee Waiver or Fee Concession entitlement.
	<b>DELETION</b> 	Previous clauses 6.1(b) and 6.2 are deleted (the priority given to Contract Notifications/orders/directions/changes in relation to fee requirements). These clauses are not relevant in a deregulated fee environment.
Clause 7 Training and assessment	<b>CLAUSES MOVED IN</b> 	<p>Clause 7.1 was previously clause 4.5(c) of the main Contract (requirement for amount of training to be determined with reference to the National RTO Standards). This fits better with other operational requirements for planning of training and assessment, rather than being an aspect of accountability to the Department.</p> <p>Clause 7.4 was previously clause 1.5 (learning materials for online training delivery to comply with the principles of the WCAG). This is moved here as it is more relevant to training delivery than consumer information.</p> <p>Clause 7.5 (training delivery where other regulatory requirements apply) was previously standalone clauses 8 and 9. These clauses are consolidated and moved here as this information does not warrant two standalone sections of the Contract.</p> <p>Clause 7.6 was previously standalone clause 16 (requirements for issuing certificates and statements of attainment). This clause is moved here as it does not warrant a standalone section of the Contract.</p>
	<b>CLAUSES MOVED OUT</b> 	Previous clauses 7.1 to 7.20 become clauses 6.5 to 6.19 (Training Plan requirements). These are moved as they are more relevant to planning for training and assessment.
	<b>DELETION</b> 	Previous clause 7.24 is deleted (requirement to have a specific professional development program for <i>Skills First</i> Teachers who deliver online training). Training providers must still ensure that <i>Skills First</i> Teachers have the necessary skills and knowledge in online delivery, however it is not considered necessary to retain this separate requirement for professional development.
Clause 8 Apprenticeship /Traineeship training delivery requirements	<b>DELETION</b> 	<p>Previous clause 8.1 becomes clause 7.5(a) under a new heading ‘training delivery where other regulatory requirements apply’. This information does not warrant a separate standalone section of the Contract.</p> <p>Clause 8 is deleted as a consequence</p>
Clause 9 Nursing courses/qualifications training delivery requirements	<b>DELETION</b> 	<p>Previous clause 9.1 becomes clause 7.5(b) under a new heading ‘training delivery where other regulatory requirements apply’. This information does not warrant a separate standalone section of the Contract.</p> <p>Clause 9 is deleted as a consequence.</p>
Clause 10 Practical Placements	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 8</b>
Clause 11	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 9</b>














**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (SCHEDULE 1 – PROGRAM SPECIFICATIONS)**

2018-19 Contract (clause references based on Standard version 3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
Evidence of Participation requirements	<b>RESTRUCTURED</b> 	Previously in Part A, moved to Part B, as this is a process for training providers to evidence claims for payment, not consumer information or requirements for enrolment, or planning for delivery of training.  The requirements for the number of points of Evidence of Participation (EoP) and the items of EoP the Department accepts are placed into tables to improve readability.
	<b>REWORDED</b> 	New clause 9.6 (previously clause 11.3) is reworded to clarify what is meant by 'a month' for the purpose of determining when one or two points of EoP are required.  New clause 9.7 (previously clause 11.5) describing the items of EoP the Department accepts are re-worded for clarity/readability, but the items remain the same.  New clause 9.9 (previously clause 11.4) addressing what happens if an employer doesn't provide sign off for competency-based completions is reworded for additional clarity..
	<b>NEW CLAUSE (CLARIFICATION)</b> 	New clause 9.11 is added to clarify that the Department may accept evidence of learning and/or engagement activity that occurs as part of a Practical Placement as EoP. To be EoP, it must meet provide sufficient information to show learning and/or engagement activity and meet all the requirements of the relevant item of EoP. A Practical Placement agreement alone is not accepted as EoP.
	<b>DELETIONS</b> 	Explanatory text under previous clause 11.3 (b)(i) is deleted (states that 'an auditor would consider the time elapsed between the start and end date (or withdrawal) of the unit of competency and use discretion as to a reasonable demonstration of ongoing engagement by an individual in learning and/or assessment activity across the unit of competency'). This is deleted, as it is not auditors who apply such discretion.  Previous clause 11.8 is deleted (Clarification regarding participation in VCE units 3 & 4). This is not relevant to Evidence of Participation. It relates to sequential enrolments and withdrawals from these specific units of VCE. It is not considered necessary for inclusion in the Contract. Training providers should refer to VCAA guidance about reporting VCE units and/or raise an enquiry on SVTS for further information if needed.
Clause12 Reporting	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 10</b>
	<b>RENAMED</b> 	This section is now called 'Reporting training activity, government-subsidised tuition fees and other information'
	<b>RESTRUCTURED</b> 	New subheadings added to improve clarity and to group similar clauses together.
	<b>CLAUSE MOVED IN</b> 	Clause 10.7 was previously clause (requirement to report the VSN). This is more relevant alongside other reporting requirements than as an aspect of enrolment.
	<b>CLAUSE MOVED IN</b> 	Clause 10.10 was previously clause 13.28 (reporting of withdrawals). This is more relevant alongside other reporting requirements.
	<b>REDUCED ADMINISTRATIVE BURDEN</b> 	Previous clauses 12.8, 12.9 and 12.10 are deleted (the requirement to establish and maintain a Register of Trainers and Assessors).  Training providers must still sight and retain evidence that <i>Skills First</i> Teachers meet regulatory requirements, keep records of who is delivering training and assessment and must provide that information to the Department on request (refer to new clauses 4.2, 4.3 and 4.5 and clause 10.12(f) of the main Contract).  However, the Department is reducing the administrative burden of requiring this information to be kept in a formal 'Register'.
Clause 13 Determination and payment of Funds	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 11</b>
	<b>RENAMED</b> 	This section is now called 'Determining and paying Funds'

**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (SCHEDULE 1 – PROGRAM SPECIFICATIONS)**

2018-19 Contract (clause references based on Standard version 3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
	<b>RESTRUCTURED</b> 	Significantly restructured and edited to reduce repetition and make key clauses clearer. New subheadings added to group similar information together more clearly.
	<b>REWORDED</b> 	Clause 11.4 (previously clause 13.25) has been reduced to just state that when a student withdraws, Contact Hour Funds are calculated based on Hours Attended, not Scheduled Hours. Remaining information about withdrawals that was previously included in this clause will be placed in the Victorian VET Student Statistical Guidelines and factsheets.
	<b>CLAUSE MOVED OUT</b> 	Previous clause 13.28 becomes clause 10.10 (reporting of withdrawals). This is more relevant alongside other reporting requirements.
	<b>DELETION</b> 	Previous clause 13.14 is deleted (treatment of superseding qualifications and deleted courses is no longer required, as the intent is covered in Clause 11.30 (previously clause 11.15)) and is managed within SVTS. Previous clause 13.17 is deleted (restrictions on payment of Funds for training delivered wholly online). This is no longer a requirement in the Contract.
Clause 14 Audits or Reviews relating to Evidence of Participation, Evidence of Eligibility and Evidence of Fee Concessions / Waivers / Exemptions	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 12</b>
	<b>RENAMED</b> 	This section is now called 'Specific Audits or Reviews'
	<b>RESTRUCTURED</b> 	No changes to content, but reworded for clarity/plainer-English.
Clause 15 Enrolments in Courses and Qualifications on the Foundation Skills List	<b>DELETION</b> 	This clause was deleted from the 2018-19 Contracts via CN 2020-11.
Clause 16 Completions	<b>DELETION</b> 	The content of these clauses does not warrant a standalone section of the Contract and is moved to sit alongside other relevant clauses. Previous clause 16.1 becomes Clause 10.13 as it is more relevant to reporting. Previous clause 16.2 becomes Clause 7.6 as it is more relevant to delivery of training and assessment. Clause 16 is deleted as a consequence.
Clause 17 Asylum Seeker VET Program	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 13</b>
	<b>REWORDED</b> 	No changes to content, but reworded for clarity/plainer-English
Clause 18 TAFE and Learn Local Eligibility Exemptions for up to 30% of Commencements	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 14</b>
	<b>REWORDED</b> 	No changes to the content, but reworded for clarity/plainer-English. The maximum number of commencements that can be offered an exemption in a calendar year is changed to 10%.

**GUIDE TO STRUCTURAL CHANGES IN THE 2021 CONTRACT (SCHEDULE 1 – PROGRAM SPECIFICATIONS)**

2018-19 Contract (clause references based on Standard version 3.0)	Changes in 2021 Contract (clause references based on draft Standard v1.0)	DETAILS
Clause 19 Latrobe Valley Initiative	<b>DELETION</b> 	This initiative is not continuing in 2021.
Clause 20 Skills First Youth Access Initiative	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 15</b>
	<b>REWORDED</b> 	No changes to content, but reworded for clarity/plainer-English
Clause 21 Back to Work Scheme	<b>DELETION</b> 	This initiative is not continuing in 2021.
Clause 22 (TAFE/Dual only) NDIS TAFE Training Campaign	<b>DELETION</b> 	This initiative is not continuing in 2021.
23 (TAFE/Dual only) Free TAFE for Priority Courses	<b>NUMBERING CHANGE</b> 	<b>BECOMES CLAUSE 17 IN TAFE/DUAL SECTOR CONTRACTS</b>
	<b>NEW WORDING (CLARIFICATION)</b> 	Clause 17.1 now includes a clarification that a student can choose not to accept the Fee Waiver for a program on the Free TAFE for Priority Courses list if they intend to use it at a later date on another Free TAFE program.
24 (TAFE/Dual) 22 (non-TAFE) Delivery of Training to Support the 10-Year Industry Plan for Family Violence Prevention and Response	<b>NUMBERING CHANGE</b> 	Becomes clause 16
	<b>REWORDED</b> 	No changes to content, but reworded for clarity/plainer-English
Clause 22 Data systems	<b>DELETION</b> 	This section is deleted, as it is not contractual in nature and does not need to be a standalone section.
Clause 24 Links to useful websites	<b>DELETION</b> 	This section is deleted. This content is more appropriate to be placed on the Department's website or on SVTS.