

RECORDKEEPING REQUIREMENTS

Under the VET Funding Contract (the Contract) training providers must keep accurate Records of all activities related to the Contract, including Records concerning funds and training services.

This fact sheet provides an overview of the Contract's recordkeeping requirements.

FOUR RULES FOR RECORDS

1. **Keep Records secure**
2. **Make Records easily accessible for audit and review**
3. **Have good Records to protect your business**
4. **Keep Records for three years after the student completes or withdraws from training**

WHAT'S A RECORD?

A Record is any 'document' within the meaning of the *Evidence Act 2008 (Vic)* that a training provider or staff produces or gains possession of in the course of performing its obligations under the Contract.

EXAMPLES OF RECORDS

Some examples are:

- evidence to support your claim for payment – for example, Evidence of Eligibility, Evidence of Participation, evidence of a student's entitlement to a concession or fee waiver, evidence of the Pre-Training Review
- evidence that training and assessment was appropriate and of high quality
- quotes, invoices and receipts to subcontractors and other third parties
- invoices or statements to students
- bank statements to confirm fee payment.

Each Record must be in enough detail for us to determine your compliance with the Contract. We've created forms and templates, such as the *Evidence of Eligibility and Student Declaration* form, that help to ensure you make Records in sufficient detail.

AMENDING RECORDS

All Records must be complete, accurate and authentic.

Records must not be amended. However, if you discover a minor administrative oversight that requires an amendment to a Record, you can make a change as long as it is true, accurate, documented in detail and clearly explained in a straightforward way.

Records must not be changed just to comply with the Contract.

Under no circumstances should Records be created retrospectively.

EASY ACCESS FOR AUDIT AND REVIEW

You must promptly provide us with easy access to a Record upon our request.

You must help us, or any person authorised by the Department such as an auditor, to locate, access and view Records. This includes taking copies of Records and responding promptly to requests for access.

Sometimes we may ask for a missing or misplaced Record within a short timeframe (for example, 24 hours after an audit). You must not use this time to create a new Record or amend ones that have already been audited.

It's in your interests to keep good Records. We consider a Record not to exist if it isn't given to us within a reasonable or specified time.

Accordingly, we would consider whatever activity the Record would have evidenced did not occur. We may exercise our contractual rights on this basis.

We may also ask you to retain further Records if we think they're necessary to show your compliance with the Contract.

KEEPING RECORDS FOR THREE YEARS

You must keep a Record for three years after the student completes or withdraws from the course or qualification. For example, if a student completes training on 30 June 2020, their Records for the training cannot be destroyed until 30 June 2023.

But sometimes we may ask you to keep a Record beyond three years. You may also have to retain Records for longer under other laws or standards. So check all your obligations before disposing of your Records.

Also, we can ask you to start keeping a Record of information you are not currently keeping, but we think is necessary.

KEEPING RECORDS SECURE

You must have a secure recordkeeping system for both hard copy and electronic Records that clearly shows your Contract compliance and supports your claims for payment. This system must securely protect the Records from unauthorised access, use and amendments.

REQUIREMENTS FOR ELECTRONIC RECORDS

Subject to any other legal obligations, you can create and maintain Records in electronic form.

You must demonstrate (with supporting documentation) that the electronic Record is:

- complete, accurate and authentic
- safe from unauthorised access, loss or damage
- can only be accessed and amended with appropriate authorisation.

In most circumstances, you can also sign documents with electronic signatures. Read the Department's fact sheet 'Using electronic signatures' to understand more about how to obtain and make a valid electronic signature.

OTHER LAWS

You must comply with all other laws relating to Record keeping, including the *Standards for Registered Training Organisations 2015* (National Standards), the *VRQA Guidelines for VET Providers*, the *Privacy and Data Protection Act 2014 (Vic)* and the *Privacy Act 1988 (Cth)*.

Under the National Standards, you must cooperate with the VET regulator in the retention, archiving, retrieval and transfer of Records.

FOR FURTHER INFORMATION

Submit an enquiry via SVTS

Fact sheet: Using electronic signatures

CN 2018-03: Making and/or amending Records