

What has changed and why?	Reference
<b>INCREASING EFFICENCY</b>	
<p><b>Notice requirements</b></p> <p>We've reviewed Notice requirements to make communication more efficient:</p> <ul style="list-style-type: none"> <li>We'll now send any Notices about enforcement actions by direct email to your CEO (with a read receipt).</li> <li>You can now notify us via SVTS if you have continuing students but haven't reported training activity one year after the end of the last collection year. This will stop your Contract Term ending.</li> <li>We've clarified that we may issue a Contract Notification or a formal Notice when communicating about varying the Funds.</li> </ul>	<p>Clauses 2.2(b), 8.3, 14.1 and 14.2</p>
<p><b>Centralising information about programs where specific conditions apply</b></p> <p>Foundation Skills programs, Pre-Apprenticeship Pathway Programs and Free TAFE programs are now identified on the Funded Courses List. These programs will also be identified on the Funded Programs Report by early 2022. This will centralise this information and ensure its always accurate and up to date.</p> <p>As a result, we've removed the Foundation Skills List and Pre-Apprenticeship Pathway Programs list from the Guidelines About Eligibility. We've also made some changes to the Contract and Guidelines to reflect the removal of these lists.</p>	<p>Clause 1.1 Guidelines About Eligibility</p>
<b>ACCOUNTABILITY</b>	
<p><b>New requirement about responding to communication from the Department</b></p> <p>Your CEO (or equivalent) plays a critical role in overseeing your organisation's performance under the Contract. It's important for us to be able to communicate with them. In most instances, we can do this in a timely manner.</p> <p>To reinforce the importance of this communication, we've added a new accountability requirement. Your CEO must respond to our communications, and you must have a delegate in place to carry out your CEO's responsibilities when they're absent.</p>	<p>Clause 4.11</p>
<p><b>Adjusted definition of Control</b></p> <p>Control means when either an individual or another organisation has sufficient capacity to have overall control of your training provider. We've adjusted the definition of 'Control' to make it clearer and easier to understand, by:</p> <ul style="list-style-type: none"> <li>removing reference to being able to 'influence' decision making. Control only applies to individuals who have practical control over a training provider and who can exercise that control by themselves</li> <li>no longer including reference to 'effective control of the entity'. We think the other more specific information in the definition of Control is more useful in explaining what it means</li> <li>including an additional instance of what we consider to be Control. This is when a shareholder may not hold 50 percent or more of the share capital, but they can still control the casting of a majority of votes at a meeting of members.</li> </ul>	<p>Clause 1.1</p>

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<p><b>New requirement to retain evidence of notifications for Apprentices and Trainees</b></p> <p>The Guidelines About Apprenticeship/Traineeship Training Delivery (Apprenticeship/Traineeship Guidelines) list events that you need to report to the Victorian Registration and Qualifications Authority (VRQA) or the Australian Apprenticeship Support Network (AASN) provider.</p> <p>We've added an obligation to retain correspondence or a dated file note to show you actioned such a notification. This can also be useful for you should an Apprentice, Trainee or employer dispute whether a notification was made.</p>	<p>Clause 1.1 of the Guidelines About Apprenticeship/Traineeship Training Delivery</p>
<b>ELIGIBILITY CHECKING</b>	
<p><b>New evidence documents</b></p> <p>To make it easier for students to provide eligibility evidence, we'll now accept these documents:</p> <ul style="list-style-type: none"> <li>• <b>New Zealand Birth Certificate</b> to prove New Zealand citizenship</li> <li>• <b>Foreign passport</b> to prove evidence of age.</li> </ul>	<p>Attachment 1 of the Guidelines About Eligibility</p>
<p><b>New option for checking evidence of age electronically</b></p> <p>We've clarified that you can sight 'Keypass' cards electronically when checking evidence of age. You can do this by using the Australian Post Digital iD mobile application on the student's mobile device. The student can't send you a screenshot or other image – you need to sight it on their device.</p> <p>If you use this option to sight the card, you'll need to retain a written declaration (with details about who checked it, when it was checked, the cardholder's details and date of birth).</p>	<p>Clause 2.5(e) of the Guidelines About Eligibility</p>
<p><b>Clarifying evidence of age checking requirements</b></p> <p>We've updated Section A of the Evidence of Eligibility and Student Declaration form to clarify that you only need to collect separate evidence of age if it's relevant to testing eligibility and ONLY IF the student's evidence of citizenship/residency doesn't show their date of birth.</p>	<p>Attachment 1 of the Guidelines About Eligibility</p>
<p><b>Checking eligibility for skill set enrolments in Foundation Skills Programs</b></p> <p>We've added a new question to Section B2 of the form to help you check if a student is eligible for a Foundation Skills Program that is also a skill set. This asks students if they hold a qualification at a Diploma level or higher, because those that do are ineligible to enrol in Foundation Skills Programs.</p>	<p>Attachment 1 of the Guidelines About Eligibility</p>

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<p><b>Training provider declaration</b></p> <p>We've improved readability and reduced administrative burden.</p> <p>We removed the tick boxes that ask you to identify the number of programs a student is eligible for. You can just list the codes and titles of all the programs the student can be enrolled in as part of your declaration.</p> <p>We've also added new, clearer tick boxes to record whether the student is either eligible, not eligible at all, or not eligible but you've granted them an exemption.</p>	Attachment 1 of the Guidelines About Eligibility
<p><b>Clause about 'deeming students to be eligible'</b></p> <p>We've deleted Clause 2.11 of the Guidelines About Eligibility.</p> <p>This clause stated that after a discussion, you may determine a student is eligible, even if their response to the Evidence of Eligibility and Student Declaration form indicated they weren't. It gave the specific example of a student who doesn't appear to meet the upskilling requirement because they have a university degree, but is eligible because the degree was completed overseas and equivalency hasn't been formally established to an Australian Qualifications Framework (AQF) level.</p> <p>This clause isn't needed, because Clause 1.5(e) of the Guidelines About Eligibility already specifies that non-Australian programs aren't counted for the purpose of upskilling, unless equivalency has been formally established with a qualification level within the AQF.</p> <p>If you otherwise find that you have to update information about the student or they've made a mistake, you can annotate it on the form, and this must signed-off by you and the student.</p>	N/A
<b>REPORTING REQUIREMENTS</b>	
<p><b>Reducing data elements that trigger a Material Breach</b></p> <p>Reporting data correctly is an important part of your performance under the Contract. It's a Material Breach if you don't ensure that you accurately report key information about a student and their program.</p> <p>The Contract has a list of examples to help you understand which data elements are most important to meet this requirement.</p> <p>We've removed Program Unique Supervised Hours and Program Supervised Teaching Activity Completion Date from this list as they aren't as important for identifying the student and their program. You must still report them accurately.</p>	Clause 10.3 of Schedule 1

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<p><b>Clarifying reporting requirements</b></p> <p>To better align with the requirements in the VET Student Statistical Collection Guidelines (Statistical Collection Guidelines), where we require your reporting to be ‘accurate’, we’ve added that it must also be ‘complete’.</p> <p>We’ve also added two new clauses clarifying that we may not pay for Apprenticeship and Traineeship training activity if it doesn’t meet specific requirements in the Statistical Collection Guidelines, namely that:</p> <ul style="list-style-type: none"> <li>the information in the Student Statistical Report must match the information in Epsilon</li> <li>training activity must not be reported after the nominal end date of the Training Contract.</li> </ul>	<p>Clause 7.1(b)</p> <p>Clauses 10.1(a) and 10.3 of Schedule 1</p> <p>Clauses 11.29 and 11.30 of Schedule 1 of TAFE and Dual Sector Contracts</p> <p>Clauses 11.31 and 11.32 of Schedule 1 of Standard Contract</p>
<p><b>Removing duplicated reporting instructions</b></p> <p>We’ve removed these specific reporting instructions from the Contract, because they’re covered in the Statistical Collection Guidelines and other reporting guidance on SVTS:</p> <ul style="list-style-type: none"> <li>how to report Client Tuition Fees and Client Fees – Other</li> <li>how to report VCE/VCAL units</li> <li>how to report completions</li> <li>which Funding Source Identifiers – State Training Authority, Fee Exemption/Concession Type Identifiers, and Eligibility Exemption Indicator value to report for initiatives in Part C of Schedule 1</li> <li>how payments for a subject are apportioned where Scheduled Hours divided by months of scheduled delivery doesn’t result in a whole number (found in the ‘SVTS Claims Guide’ in the ‘Documents’ section of SVTS).</li> </ul>	<p>N/A</p>
<p><b>UPDATED INITIATIVES AND PROGRAMS</b></p>	
<p><b>Asylum Seeker VET Program</b></p> <p>Previously, only TAFEs and Learn Local Organisations could accept a self-referral from asylum seeker students and use the Commonwealth Visa Entitlement Verification Online (VEVO) to check the students hold a valid visa type. Now, all training providers can accept self-referrals and use VEVO.</p> <p>The ‘Sighting and Retaining Evidence of Eligibility’ fact sheet has information about how to use VEVO to check permanent residency. You may find this information useful when using VEVO to check visa types for this program.</p> <p>The program currently includes three valid visa types. We’ve updated this list to clarify that a student must hold a specific subclass within each visa type to be able to enrol under this program. We’ve also added a new visa type to the list - Bridging Visa F (subclass 060).</p>	<p>Clause 13 of Schedule 1</p> <p>Attachments 1 and 2 of the Guidelines About Eligibility</p> <p>Clause 3.12(b) of the Guidelines About Fees</p>

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<p><b>Eligibility Exemptions Initiative</b></p> <p>The temporary expansion of this initiative to independent and private training providers ends in 2021. In 2022, only TAFEs and Learn Local Organisations can offer exemptions under this initiative.</p> <p>We've also changed the way we set the limit for the number of exemptions you can offer. We think this will make it easier for you to plan for and keep track of exemptions throughout the year.</p> <p>For 2022, you will receive a maximum number of commencements for which you can offer an exemption. This will be based on a percentage of the total number of commencements you delivered last year and will be documented in your Schedule 2 - Individual Details and Conditions.</p>	<p>Clause 14 of Schedule 1 Attachment 2 of the Guidelines About Eligibility</p>
<p><b>JobTrainer</b></p> <p>This initiative will continue until 30 June 2022. There aren't any changes to the initiative settings.</p>	<p>Clauses 16.2 and 16.16 of Schedule 1 of Standard Contract</p> <p>Clauses 16.2 and 16.15 of Schedule 1 of TAFE and Dual Sector Contracts</p>
<p><b>COVID-19 Response - Funding to Deliver Infection Control Skill Sets</b></p> <p>This initiative isn't included in the 2022 Contract as it finishes at the end of 2021.</p>	<p>N/A</p>
<b>CLARIFYING EXISTING REQUIREMENTS</b>	
<p><b>New definition of Online Training and Assessment</b></p> <p>We've added a new definition to clarify that 'Online Training and Assessment' means delivery of supervised training and/or assessment in a way that requires the student to access a digital network. This is to help you understand when the Contract requirements related to online training apply.</p>	<p>Clause 1.1</p> <p>Clauses 1.3(f), 2.2(c), 4.3(c)(iii), 4.3(d), 6.3, 7.4 and 11.2(d) of Schedule 1</p>
<p><b>Evidence of Participation (EOP) where employer confirmation of Apprenticeship competence is delayed</b></p> <p>We've amended this provision to improve its readability. We've also deleted reference to Trainees as they don't need subject-level sign-off of workplace competency like Apprentices.</p>	<p>Clause 9.9 of Schedule 1</p>

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<p><b>Submission of final Student Statistical Reports</b></p> <p>We've split information about submitting your Final Student Statistical Report into a separate clause. This is to make it clear that while you can correct a previous month's data no later than a month after your next Student Statistical Report, this doesn't apply to the final Student Statistical Report at the end of the data collection year.</p>	<p>Clauses 10.1 and 10.2 of Schedule 1</p>
<p><b>Clarifying when Structured Training can commence for Apprentices and Trainees</b></p> <p>We've added new wording to clarify that the creation of an Epsilon record means that the Training Contract has been approved and registered by the VRQA. It's important that this happens before Structured Training commences, because the eligibility criteria for Apprentices and Trainees includes that they must be a signatory to a Training Contract that is registered by the VRQA.</p> <p>We've also included a prompt for you to follow up with your AASN provider if there's an unexpected delay in the registration of the Training Contract that's holding up training.</p>	<p>Clause 2.3 of the Guidelines About Apprenticeship/ Traineeship Training Delivery</p>
<p><b>ADMINISTRATIVE CHANGE TO NON-VICTORIAN TRAINING ARRANGEMENT</b></p>	
<p>To simplify administrative arrangements, we will no longer use a separate contract type for non-Victorian based training providers delivering to a National Enterprise. Instead, the Department will use a Standard Skills First Contract, and the conditions for delivering to national enterprises will be documented as an attachment to Schedule 2.</p> <p>This doesn't change any of the Contract terms for either Non-Victorian or Standard Contract holders.</p>	<p>Clauses 1.1, 4.1(a) and 10.12 of Standard Contract</p>
<p><b>ADMINISTRATIVE CHANGES</b></p>	
<p>We've made a number of minor changes for continuous improvement purposes. These administrative changes are to correct or clarify information, improve readability and update terminology.</p> <p>Refer to the 'Guide to edits – Contract' and 'Guide to edits – Guidelines' documents for full details.</p>	<p>Clauses 1.1, 8.8(b), 16.5 and 17.4(d)</p> <p>Clause 2.2(c), 2.14, 6.1 - 6.3, 6.20, 9.7(g), 10.8, 11.15, 11.21 and 12 of Schedule 1</p> <p>Clauses 11.23 and 11.26 of Schedule 1 of TAFE and Dual Sector Contracts</p> <p>Clauses 11.25 and 11.28 of Schedule 1 of Standard Contract</p> <p>All Guidelines</p>