# QUESTIONS AND ANSWERS ABOUT THE VET FUNDING CONTRACT

This Q&A is designed to help you understand more about what's expected under the VET Funding Contract (Contract) and Guidelines by answering your common questions. It does not aim to answer all your questions, only those directly related to the Contract and Guidelines. For example, it does not answer questions about data reporting, making claims for payment, or specific Government initiatives, such as JobTrainer. You should read this Q&A in conjunction with the Contract and Guidelines and fact sheets about specific topics.

The Q&A is arranged alphabetically and by topics to help you easily find the information you need. You can jump to a topic by using the internal hyperlinks in the Q&A answers and table of contents.

In many answers we also provide links to useful resources, such as fact sheets, websites, and documents in the Skills Victoria Training System (SVTS).

## Contents

| TOPIC | QUESTION | ANSWER |
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| **APPRENTICES/TRAINEES** | Are there any additional requirements for enrolling an apprentice or trainee in *Skills First*? | Yes. Apprentices and trainees must meet these additional criteria to get *Skills First* funding. They must be:<br>• employed in Victoria<br>• undertaking an Approved Training Scheme<br>• signed to a Training Contract with their employer, which is registered with the Victorian Registration and Qualifications Authority.<br>An apprentice or trainee's Training Plan must have some extra information including:<br>• details about the employer (or school if it is a School-Based Apprenticeship or Traineeship)<br>• details about workplace-based training<br>• signatures to show the endorsement of both the apprentice/trainee and their employer (and a representative from the school for School-Based Apprenticeships or Traineeships).<br>You should refer to the Guidelines about Apprenticeship/Traineeship Delivery for more information about delivery requirements, School-Based Apprenticeships or Traineeships, and the Head Start program and student support. |
| **APPRENTICES/TRAINEES** | What should I do if an apprentice is referred to me for training, but a Pre-Training Review suggests that training is not suitable and appropriate for them? | You must only enrol students in *Skills First* training that is suitable and appropriate for them. This includes apprentices.<br>In some cases, you might identify adjustments to training or extra supports that would help a student to successfully complete their apprenticeship training for example supplementary foundation skills training through LNSupport.<br>But if your conclusion that the training is not suitable and appropriate for the student, you should initiate communication between the student, the employer and the Australian Apprenticeship Support Network (AASN) provider to discuss alternative pathways for the student. |
| **APPRENTICES/TRAINEES** | What should I do if an employer won't give me their written confirmation of an apprentice/trainee's competence even though they have completed all their supervised training and assessment? | You can't issue a qualification for an apprentice/trainee until you have received written confirmation from the employer of their competence in the workplace.<br>If all supervised training and assessment is complete, you can report outcome code 79 – 'awaiting employer sign off' in SVTS. You will also need to change the Activity End Date in SVTS to a date in the future when you estimate that you may have the employer's sign off.<br>If you can't resolve this with the employer, you could help the apprentice or trainee to contact the VRQA for advice on next steps. |
| **APPRENTICES/TRAINEES** | If I can't get written confirmation of competence from an apprentice/trainee's employer, can I issue their certificate anyway and leave out the words 'achieved through Australian Apprenticeship arrangements'? | No. You can only do this if the apprentice/trainee has become unemployed and makes the decision to complete their training without a Training Contract in place. |

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| **ASYLUM SEEKERS** | Are asylum seekers eligible for *Skills First* funding? | Yes, asylum seekers may be eligible for *Skills First* funding through the Asylum Seeker VET Program. If an asylum seeker has a certain type of visa, they don't have to be an Australian or New Zealand citizen or permanent resident to access *Skills First*. Check your Contract for the visa types.<br>An asylum seeker or victim of human trafficking can get this exemption if they either:<br>• go to the Asylum Seeker Resource Centre or the Australian Red Cross and get a referral to training (this can be with any type of training provider)<br>• enrol directly with a TAFE or Learn Local Organisation and have it check the type of visa they hold.<br>Read the 2021 Guidelines about Eligibility for more information, including how to check that a student is eligible for this exemption. |
| **BROKERING SERVICES** | What are Brokering Services? | Brokering Services are when you engage a person or another organisation to recruit students into *Skills First* training, and either you or the student pays for this service. This is a form of subcontracting.<br>This doesn't include any activities carried out by your payroll employees whose job it is to identify and recruit students. |
| **BROKERING SERVICES** | Can I use Brokering Services? | Yes, you can use Brokering Services, but there are conditions. You must:<br>• follow the subcontracting requirements under the Contract<br>• report use of Brokering Services to the Department, and<br>• publish a list of all providers of Brokering Services in an easy-to-find place on your website.<br>The Department can ask you for details of all your Brokering Services at any time. |
| **BROKERING SERVICES** | When should we report the use of Brokering Services? | You have 30 days from the start of your Contract to report to us the details of all the Brokering Services you're using. After this, you must report all new Brokering Services to us within 30 days of making the Brokering Services agreement.<br>You must use our *Reporting of Brokering Services Form* to tell us about a Brokering Service. This form is available in the in the Documents section of SVTS. |
| **CHANGE IN CONTROL** | What is a Change in Control? | A Change in Control is where any person or organisation will start to have, or will finish having, Control over your training provider. This does not include changes from transferring shares or other securities on a stock exchange.<br>So we can manage the risks that may arise, you must notify us of a Change in Control via SVTS immediately when you become aware of it, and at least 20 business days before it takes effect. You must:<br>• tell us when the change takes effect<br>• explain any changes it makes to the information you gave us when you first applied for your Contract.<br>We may not take further action, or we may ask you for more information. But we can also not approve of a Change in Control if its effect means we can no longer rely on the information we used to decide to give you a Contract.<br>If we do not approve or you don't inform us about a Change in Control, we have the right to take enforcement action, including terminating your Contract.<br>Read the Fact sheet: Change in Control and other significant changes for more information. |

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| **CHANGE IN CONTROL** | What does 'Control' mean when the Contract talks about a Change in Control? | In simple terms, this means when a person or another organisation has sufficient capacity to have control over a training provider. This includes where they have:<br>• legal, financial or equitable ownership (either directly or indirectly) of 50 per cent or more of share capital (or an equivalent level of other ownership interest if there are no shares)<br>• significant capacity to control or influence either:<br>  ○ the composition of a board or other decision-making body<br>  ○ decision-making about financial or operating policies, without seeking involvement or approval of a Board, committee or other governing body<br>  ○ 'effective control' of the training provider.<br>Whether a person or organisation has 'Control' of your training provider will depend on the company structure or governance arrangements you have in place.<br>Read the Fact sheet: Change in Control and other significant changes for more information. |
| **COMMENCEMENT ALLOCATION** | What is a commencement? | The term commencement is used in two main contexts:<br>**Commencement Allocations and Program Allocations**<br>A 'commencement' happens when you receive any amount of Funds for an enrolled student. Funds means the payment we make for training. If those Funds are later reversed, refunded or repaid to us, this will still be counted as a commencement for determining whether you have reached the limit of those Allocations.<br>**Determining eligibility for *Skills First***<br>There are limits on how many *Skills First* programs students can begin or commence. When assessing a student's eligibility for *Skills First,* their previous commencements determine whether they've already used up their *Skills First* entitlement. A commencement means the student has started some kind of training activity. |
| **COMMENCEMENT ALLOCATION** | What is a Commencement Allocation? | A Commencement Allocation is the total number of commencements we allow a training provider to deliver within a fixed period, usually a calendar year.<br>With the introduction of funding for skill sets in 2021, the Commencement Allocation is now split into separate numbers of commencements for AQF qualifications and skill sets.<br>The Commencement Allocation is a way for us to manage the overall budget for *Skills First* training.<br>We may also make Program Allocations. These puts limits on the amount of delivery in individual programs. |
| **COMMENCEMENT ALLOCATION** | How do you decide my Commencement Allocation? | Firstly, to guide our decision, we ask all training providers to fill out a Program Delivery Plan. This document includes details of the training you want to deliver in the coming year and an estimate of how many students you think you'll be able to train. The plans must be submitted when you first apply for a *Skills First* Contract and again before each additional calendar year if the Contract is a multi-year agreement.<br>We combine data from all the Program Delivery Plans with other information, including information about Victoria's jobs and training needs, government priorities and individual training provider capability and capacity.<br>After analysing all this information, we decide how much training each individual training provider can deliver within the overall *Skills First* budget. The amount of training is expressed in terms of Commencement Allocations. |

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| **COMMENCEMENT ALLOCATION** | Can I ask for more commencements? | Yes, from time-to-time we may offer you the opportunity to apply for an increase to your Commencement Allocation.<br>We will decide whether to approve each application by considering information about labour market need, your capacity and capability, and the overall budget for *Skills First* training. |
| **CONCESSION** | Who can get a concession on tuition fees? | Under *Skills First*, students can get a concession on their tuition fees for training at a Certificate IV level or below if they hold a current and valid:<br>• Health Care Card issued by the Commonwealth<br>• Pensioner Concession Card<br>• Veteran's Gold Card.<br>A student is also entitled to the concession if they are the dependent spouse or child of a card holder.<br>Some students can get a concession on their tuition fees even if they don't hold one of the accepted types of concession card. These are:<br>• students who self-identify as being of Aboriginal or Torres Strait Islander descent, for training at any level<br>• students referred to training under the Asylum Seeker VET Program for training at Certificate IV level or below.<br>Students can also get a concession if they are eligible to participate in the JobTrainer program. Read the Fact sheet: Understanding the new JobTrainer arrangements for more information. |
| **CONCESSION** | When do I have to check a student's concession card? | You must check a student's concession card before their training starts. This is usually done at the time of enrolment.<br>The student's concession card must be valid and current at the time you check it. It doesn't matter if the card will expire before the training starts, as long as it is valid and current at the point in time when you check it.<br>If the student can't show you their concession card before their training starts, you can choose to give them a reasonable amount of time to come back with proof they are entitled to a concession. This is called a 'grace period'. If you allow a grace period and the student shows you their concession card after their training starts, it must have been valid and current on the date when their training started.<br>You might also need to check the student's concession again after their training has started, depending on how you choose to charge fees.<br>If you haven't charged the student upfront for the whole program, you will need to check the student's concession each time you invoice them for new fees (for example, for each unit, or for each term or semester).<br>If you charge all fees upfront but arrange with the student to pay in instalments (a payment plan), you don't need to re-check their concession entitlement each time you invoice the student for an instalment amount.<br>Read the Fact sheet: Concessions for more information. |

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| **CONCESSION** | What should I do if a student can't show their concession card before their training starts? | If a student can't evidence their concession at enrolment, you can allow a reasonable grace period for them to show it after training starts. But you must have a documented business process for how you apply the grace period.<br>If you allow a grace period, the student's concession must be valid and current on the date they started training.<br>Read the Fact sheet: Concessions for more information. |
| **CONCESSION** | Is a student still eligible for a concession if their concession will expire before they start their training? | Yes. It doesn't matter if the card will expire before the training starts, provided it is valid and current at the time you check it.<br>For audit purposes, you should document the date you checked a student's concession entitlement to show it was current and valid at that point in time.<br>Read the Fact sheet: Concessions for more information. |
| **CONCESSION** | Is a student who holds a valid and current Commonwealth Seniors Health Care Card eligible for concession under *Skills First*? | No. A Commonwealth Seniors Health Care Card is not an accepted form of concession under *Skills First*. The only forms of concession that are accepted are those listed in the Guidelines About Fees.<br>Read the Fact sheet: Concessions for more information. |
| **CONCESSION** | How much can I charge a concession student? | You must charge a concession student no more than 20% of your published standard tuition fee, being the amount you'd charge a non-concession student in the same program at the same time. You apply a concession rate for all the hours they've paid tuition fees for - even if their concession entitlement expires before they complete those hours.<br>When you charge a student a concession, the Department will pay a contribution to you for the revenue that is lost.<br>Read the Fact sheet: Concessions for more information. |
| **CONCESSION** | Can I charge a reduced fee or no fees to a student who can't afford to pay tuition fees and doesn't have a concession card? And if so, will the Department pay a contribution for the lost revenue? | You can choose to charge a student lower or zero tuition fees if they are experiencing financial hardship. However, we only pay a Fee Concession Contribution if the student is entitled to a concession.<br>This is because the Government has decided the most appropriate way to identify students that need financial support is by those who hold a concession entitlement. The Government may also choose to support other groups of students. This will be documented in the Guidelines About Fees.<br>Read the Fact sheet: Concessions for more information. |
| **CONCESSION** | What should I do if a student becomes eligible for a concession after their program has started? Can I charge them a concession rate? | Yes, a student who becomes eligible for a concession after their training starts may be eligible to get a concession for the portions of their training where they haven't yet been charged a tuition fee. This will depend on how you charge tuition fees.<br>If you don't charge all program fees in one instance (for example, you charge per semester or subject), you must recheck the student's concession entitlement when you invoice them for new fees.<br>If you charge all fees upfront but arrange with the student to pay in instalments (a payment plan), you don't need to re-check their concession entitlement each time you invoice the student for an instalment amount.<br>Read the Fact sheet: Concessions for more information. |

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| **CONCESSION** | Will the Department pay for the revenue we'll lose by having to charge a concession rate rather than our standard tuition fee? | The Department will contribute towards the revenue you lose by charging concession rates. This is called the Fee Concession Contribution.<br>We calculate the Fee Concession Contribution using this formula:<br>The number of Scheduled Hours for which you're entitled to be paid Contact Hour Funds for the student multiplied by (the lesser of):<br>• four times the actual hourly tuition fee paid by the student (as reported via the Client Tuition Fee field of the Student Statistical Report); or<br>• the 'Maximum Fee Concession Contribution per hour' for the Program, Enrolment Type and relevant concession type as identified in the Funded Courses Report.<br>You can choose to charge a student lower or zero tuition fees if they are experiencing financial hardship. However, we only pay a Fee Concession Contribution if the student is entitled to a concession.<br>Read the Fact sheet: Concessions for more information. |
| **CONTRACT VARIATION** | Can you change my *Skills First* Contract during the Term? | We will only change your Contract after carefully considering the need for the change. We will give you as much advance notice of the change as possible.<br>We might make a change:<br>• where there is a legitimate need to protect the interests of the Department and the change won't materially burden or disadvantage training providers<br>• where there is a change in government policy<br>• to ensure we're properly administering taxpayer's funds<br>• to address external factors that have only become known after the Contract started<br>• where necessary to meet the jobs and skills needs of a sector of the Victorian economy or a geographic area of the state.<br>For multi-year agreements, we sometimes make operational changes to improve the Contract in response to feedback from training providers.<br>We will tell you about a change to the Contract either by a Contract Notification on SVTS or by writing to you directly. |
| **DISALLOWED PERSONS** | What is a Disallowed Person? | Under *Skills First*, you must not employ, engage or otherwise deal with a Disallowed Person.<br>An individual or registered training organisation (RTO) becomes Disallowed if they are:<br>• subject to one of the events described in the definition of Disallowed Person; or<br>• responsible for them by either their acts or omissions.<br>For an individual to be Disallowed, they must have been a Relevant Person at a training provider. This means someone at a sufficiently high level within an organisation to have exercised a material degree of control or influence over the management or direction of an organisation in relation to training delivery. |

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| | | The events that lead to becoming a Disallowed Person are, that since 1 January 2011, the RTO has been subject to either:<br>• a VET Funding Contract termination<br>• an 'Other VET Funding Arrangement Termination Event' (this means a termination of any equivalent funding arrangement in another state or territory, or removal of Commonwealth approval to offer VET Student Loans).<br>The termination must be for a performance reason under that contract or funding arrangement. For example, if a contract ends voluntarily, or a termination is applied to a group of RTOs for a government policy reason, this does not lead to them being a Disallowed Person.<br>Read the Fact sheet: Disallowed Persons for more information. |
| **DISALLOWED PERSONS** | How do I know if somebody is a Disallowed Person? | We do not keep a list of Disallowed Persons. You must do your own due diligence when you are recruiting staff or thinking about engaging with other organisations. This might include looking at various sources of information, such as information published by regulators about actions taken against other training providers. You might also look at our published list of Contracts we've terminated.<br>Read the Fact sheet: Disallowed Persons for more information. |
| **ELECTRONIC SIGNATURE** | What is an electronic action equivalent to a signature? | An electronic action equivalent to a signature is a way for someone to agree to or endorse information instead of using an ink-based signature on a piece of paper.<br>You can use an electronic signature on a document required under your Contract, but it must meet the following conditions:<br>• Identity – clearly identify the person undertaking the action<br>• Consent – clearly indicate the person's agreement to the relevant information; and<br>• Reliability – be as reliable as appropriate considering all the circumstances (including so at audit or review we can rely on the action as demonstrating the person's agreement).<br>Read the Fact sheet: Using electronic signatures for more information. |
| **ELECTRONIC SIGNATURE** | What method should I use to collect an electronic action equivalent to a signature? | We expect you to have a business process for each time you collect signatures electronically. You must use a method that is proportionate to the risk associated with what is being agreed to or endorsed.<br>Our fact sheet shows examples of how you could meet the expected standard for an electronic action equivalent to a signature for Contract requirements.<br>We do not specify what methods to use or endorse any particular commercial products that enable the collection of electronic signatures. You should do your own research and investigation of products available.<br>Read the Fact sheet: Using electronic signatures for more information. |
| **ELIGIBILITY CRITERIA** | Who is eligible for *Skills First* funding? | To be eligible for *Skills First* funding, a student must be:<br>• an Australian citizen or permanent resident, or a New Zealand citizen<br>• physically present in Victoria when they're doing training and assessment (unless they're temporarily overseas or interstate for an industry or practical placement, in which case they can do 50% of their total scheduled hours online).<br>A student **under 20 years of age** can enrol in training at any level. |

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| | | A student **20 years of age or older** must also enrol in a program that will result in upskilling – meaning they must enrol at a higher AQF level than the highest qualification they already hold. But this doesn't apply if they are doing:<br>• programs on the Foundation Skills List (unless they hold a Diploma or above qualification, or are in the Commonwealth 'Skills for Education and Employment' program')<br>• an Apprenticeship<br>• training in the VCE/VCAL (intermediate or senior)<br>• a skill set.<br>There are also limits on the amount of subsidised training that a student can do (regardless of their age).<br>Read the Fact sheet: Student eligibility for *Skills First* for more information.<br>Also, the Victorian Skills Gateway has useful information for students about how to check their eligibility for *Skills First*. |
| **ELIGIBILITY CRITERIA** | What is the upskilling requirement? | Upskilling is a general principle under *Skills First* that students should enrol in a program that is at a higher AQF level than what they already hold, to progressively increase their skill level.<br>The upskilling requirement doesn't apply to students under 20.<br>It also doesn't apply if a student who is 20 years of age or older is doing an apprenticeship, Foundation Skills, training VCE/VCAL (intermediate or senior) or a skill set.<br>Read the Fact sheet: Student eligibility for *Skills First* for more information. |
| **ELIGIBILITY CRITERIA** | How do I know if a student meets the upskilling requirement? | You must check a student's age. If they're 20 or older, ask them about the previous training they've completed to determine if they meet the upskilling requirement.<br>The student meets the upskilling requirement only if their new enrolment is at a higher AQF level than the highest qualification they already hold.<br>Some previous training or study **doesn't** have to be considered when you assess upskilling. These are:<br>• senior secondary school certificates (e.g. VCE, VCAL or interstate equivalents, the International Baccalaureate Diploma)<br>• programs on the Department's Foundation Skills List<br>• VET certificates completed as part of doing a senior secondary school certificate (including School-Based Apprenticeships or Traineeships)<br>• Apprenticeships (not Traineeships) under Approved Training Schemes<br>• skill sets<br>• non-Australian programs, unless they have been formally established to be equivalent to a level in the AQF.<br>In some cases, students can be offered exemptions from the upskilling requirement if they meet certain conditions. You should check your Contract to see if you can offer these exemptions and to what students or programs.<br>Read the Fact sheet: Student eligibility for *Skills First* for more information. |

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| **ELIGIBILITY CRITERIA** | Is there a limit on the amount of *Skills First* training students can do? | Yes, the amount of *Skills First* training students can do is limited. This encourages them to think carefully about what program is best for them and choose something they're more likely to complete.<br>A student can't:<br>• start more than 2 *Skills First*-subsidised skill sets in a year (the '2 skill sets in a year' rule)<br>• start more than 2 *Skills First*-subsidised AQF qualifications in a year (the '2 AQF qualifications in a year' rule)<br>• do more than 2 *Skills First*-subsidised programs at the same time (the '2 at a time' rule)<br>• start more than 2 government-subsidised qualifications at the same AQF level in their lifetime (the '2 at level in a lifetime' rule).<br>Some previous study is **not** counted when determining whether a student has reached these limits. Details of these are included in the Guidelines About Eligibility.<br>Read the Fact sheet: Student eligibility for *Skills First* for more information.<br>Also, the Victorian Skills Gateway has useful information for students about how to check their eligibility for *Skills First*. |
| **ELIGIBILITY CRITERIA** | How do I know if a student has reached any of the limits on *Skills First* training? | You must assess what the student tells you about their previous or current training to decide whether they've reached any *Skills First* limits.<br>**Other *Skills First* training**<br>You must assess what *Skills First* training the student has already started, or will have started, within the calendar year. They can only do a maximum of two *Skills First* funded:<br>• programs (either skill sets or full qualifications) at the same time<br>• skill sets in the same calendar year<br>• AQF qualifications in the same calendar year.<br>**Other training at same AQF level**<br>You must find out whether the student has previously started any government-subsidised training at the same AQF level as the training they want to enrol in now. This includes *Skills First*-funded training and any other government-funded training. It doesn't include fee-for-service training the student has paid for themself.<br>To be eligible for *Skills First*, the student can only start a maximum of two government-funded programs at the same AQF level in their lifetime. This is to encourage them to seek progressively higher skills.<br>**Some training is not counted**<br>You must not count the following types of training when deciding if a student has reached the '2 at a time', '2 skill sets in a year' and '2 AQF qualifications in a year' limits:<br>• transitioning from a superseded program to a new equivalent version<br>• re-starting in the same program, whether that is with the same training provider or a new training provider<br>• starting an Apprenticeship after doing one of the programs on the Department's list of Pre-Apprenticeship and Pathway Programs<br>• training in programs under initiatives that offer exemptions to these requirements as identified in the Guidelines About Eligibility. |

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| | | You must not count the following types of training when deciding if a student has reached the '2 at level in a lifetime' limit:<br>• senior secondary school certificates (e.g. VCE, VCAL or interstate equivalents, the International Baccalaureate Diploma)<br>• programs on the Department's Foundation Skills List<br>• VET certificates completed as part of doing a senior secondary school certificate (including School-Based Apprenticeships or Traineeships)<br>• transitioning from a superseded program to a new equivalent version<br>• re-starting in the same program, whether that is with the same training provider or a new training provider.<br>Read the Fact sheet: Student eligibility for *Skills First* for more information. |
| **ELIGIBILITY CRITERIA** | How many times can a student defer and recommence the same program? | There's no rule under *Skills First* that limits the number of times a student can choose to defer and recommence training in the same program. When a student wants to recommence training in the same program, it won't count towards the '2 at a level in a lifetime' limit under *Skills First*.<br>However, you must ensure the student's recommencement in training remains the most suitable and appropriate training option for the student.<br>If you report the student's recommencement in training as a new commencement (with a new Program Commencement Date), you must reassess whether the student is still eligible for *Skills First,* including whether they meet the upskilling requirement.<br>Read the Fact sheet: Student eligibility for *Skills First* for more information. |
| **ELIGIBILITY CRITERIA** | What happens if a student enrolled in fee-for-service training becomes eligible for *Skills First* funding? | You could offer the student the option to withdraw from their fee-for-service training and then re-enrol as a *Skills First* student for the rest of their training.<br>You would need to check evidence of the student's eligibility, do a Pre-Training Review, and issue the student a Statement of Fees.<br>You would also need to apply credit transfers for all units of competency the student had completed in their fee-for-service enrolment. |
| **ELIGIBILITY EXCLUSIONS** | Are any there any students who can't be eligible for *Skills First*? | Yes. The following students are excluded from being eligible for *Skills First* funding:<br>• students enrolled in a school (except if they're undertaking a School-Based Apprenticeship or Traineeship)<br>• prisoners held in a prison<br>• persons detained under the Mental Health Act<br>• persons detained in youth justice facilities.<br>This is because there are other sources of government funding to support their training.<br>However, a student can access *Skills First* if they are either on a community-based order under the Children, Youth and Families Act 2005 or are held in the Judy Lazarus Transition Centre and can attend training outside the centre without supervision. |

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| **ELIGIBILITY EXEMPTIONS** | Can I exempt a student from the *Skills First* eligibility criteria? | There are initiatives under *Skills First* where you might be able to exempt students from particular eligibility criteria.<br>These exemptions support the Government's training priorities by removing barriers to training for disadvantaged students or helping students train in areas that will lead to more employment opportunities.<br>To grant an exemption, you must:<br>• know whether your Contract allows you to grant it, as some exemptions can only be granted by certain types of training providers<br>• understand the conditions for making exemptions under each initiative<br>• follow the Guidelines About Eligibility<br>• sight and retain evidence to show the student is entitled to an exemption.<br>Read the Fact sheet: Student eligibility for *Skills First* for more information. |
| **ELIGIBILITY EXEMPTIONS** | What is the Eligibility Exemptions Initiative? | The Eligibility Exemptions Initiative allows you to grant exemptions from the upskilling and 2 at a level in a lifetime requirements.<br>You can offer these exemptions for up to:<br>• 30% of your total number of *Skills First* commencements in a calendar year – if you're a TAFE, Dual Sector university or Learn Local<br>• 10% of your total number of *Skills First* commencements in a calendar year – if you're any other type of training provider.<br>You **must** give exemptions for retrenched workers, former automotive supply chain workers and people registered with the Jobs Victoria Employment Network. Contact the Department if supporting these cohorts means you might exceed your exemptions limit within the calendar year.<br>You should also give preference to students enrolling in training that meets identified skills shortages, localised labour market needs or improves their employment prospects.<br>In addition, you should use the exemptions to support women, young people, recent migrants and vulnerable people who've been affected by coronavirus (COVID-19) to help them gain new skills and employment.<br>For more information, read Contract Notification CN 2021-06 Advice about the Eligibility Exemptions Initiative in the Memos section of SVTS. |
| **EVIDENCE OF ELIGIBILITY** | How do I sight and retain evidence of eligibility? | You can sight:<br>• an original document<br>• an original certified copy of a document (not an electronic version)<br>• confirmation the student's details are verified to match a current and valid document in the Commonwealth Government's Document Verification Service (DVS)<br>• the student's digital green Medicare card as displayed on a Digital Wallet through the Express Plus Medicare mobile app. |

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| | | You can keep:<br>• a photocopy or electronic version of the original document<br>• a photocopy or electronic version of an original certified copy of a document<br>• a transaction record showing the document was verified in the DVS<br>• a written declaration stating that the digital green Medicare card has been sighted.<br>Read the Fact sheet: Sighting and retaining evidence of eligibility for more information. |
| **EVIDENCE OF ELIGIBILITY** | Can I sight and retain evidence of eligibility electronically? | Yes. You can sight evidence of eligibility electronically in two ways:<br>• By using the Commonwealth Government's Document Verification Service (DVS).<br>• For green Medicare cards only − sighting the student's Digital Wallet through the Express Plus Medicare mobile app.<br>You **can't** sight or retain electronic copies of original or certified documents that have been photographed or scanned and emailed to you.<br>**Using the DVS**<br>The Document Verification Service (DVS) is the Commonwealth Government's national online system that allows organisations to compare a person's ID with a government record.<br>To use the DVS, you must engage a Gateway Service Provider. This is an organisation authorised by the Commonwealth Government to match information requests to and from the DVS.<br>You must retain a transaction record generated by the administrative platform provided by the Gateway Service Provider that shows the student's details, and that they were verified to match a valid and current document in the DVS.<br>You don't need to print this information − you can retain it electronically. An electronic record can usually be kept within the administrative platform, but if not, then you should keep a secure electronic version that can't be easily altered.<br>**Digital Medicare cards**<br>To retain evidence of sighting a digital green Medicare card you need a written declaration stating that it has been seen.<br>Read the Fact sheet: Sighting and retaining evidence of eligibility for more information. |
| **EVIDENCE OF ELIGIBILITY** | Do I have to use the Department's Evidence of Eligibility and Student Declaration Form? | No. You can make your own version of this form, or you can customise the form for different types of enrolments.<br>Using your own version of the form, or customising the form, is acceptable, provided you still gather all relevant information to assess eligibility. |
| **EVIDENCE OF ELIGIBILITY** | If I've checked a student's age and citizenship to enrol in a program do I have to check again if the student enrols in another program with us? | No. You can keep evidence of a student's age and citizenship on file if you collected it for one enrolment and use it again for the next enrolment, provided the evidence has not expired by the time the next enrolment happens.<br>Read the Fact sheet: Sighting and retaining evidence of eligibility for more information. |

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| **EVIDENCE OF PARTICPATION** | What is Evidence of Participation? | Under *Skills First*, you must collect evidence to prove to us that each student participated in their learning and assessment. This is called Evidence of Participation. It is a form of funding assurance you give us to support your claims for payment for *Skills First* funding.<br>Read the Fact sheet: Evidence of Participation for more information. |
| **EVIDENCE OF PARTICIPATION** | What forms of Evidence of Participation do you accept? | We only accept Evidence of Participation in the following forms:<br>• evidence of work submitted<br>• *Skills First* teacher notes<br>• attendance rolls<br>• evidence of assessment<br>• login and engagement evidence<br>• flexible and distance learning records<br>• a Statutory Declaration (in *exceptional* circumstances).<br>You must meet certain requirements for each form of Evidence of Participation. These are listed in clause 9.7 (a)–(g) of Schedule 1 of the Contract.<br>Read the Fact sheet: Evidence of Participation for more information. |
| **EVIDENCE OF PARTICIPATION** | How many points of Evidence of Participation do I have to collect? | The amount of Evidence of Participation you are required to keep depends on the reported Activity Start Date (ASD) and Activity End Date (AED) for each subject.<br>If a subject duration is 30 days or fewer, you need to collect 1 point of EOP.<br>If a subject duration is more than 30 days, you must collect and retain 2 points of EOP, both in a different form where:<br>• the first is no later than 30 days after the ASD (and no earlier than it) and<br>• the second is no earlier than 30 days before the AED (and no later than it).<br>Read the Fact sheet: Evidence of Participation for more information. |
| **EVIDENCE OF PARTICIPATION** | How should Evidence of Participation be collected for clustered delivery of subjects? | For clustered delivery, Evidence of Participation (EOP) needs to clearly demonstrate which subjects were delivered in each training session. This could be in the form of a delivery schedule, timetable, lesson plan or equivalent.<br>Your evidence must record all the basic information required to show EOP at a subject level.<br>You must double-check that all your EOP documents contain the:<br>• student's name or client ID<br>• subject ID<br>• full date (dd/mm/yy).<br>Read the Fact sheet: Evidence of Participation for more information. |

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| **FEES** | Do I have to charge a minimum or maximum tuition fee for *Skills First* programs? | No. You can set your tuition fees according to what you think is appropriate so that you can deliver quality training. There is no prescribed minimum or maximum fee level.<br>However, you do have to:<br>• apply a concession rate to any student that has an entitlement to one. This is 20% of the standard published fee that you would have charged a non-concession *Skills First* student in the same program at the same time<br>• charge zero tuition fees in any case where there is a mandatory fee waiver prescribed in your Contract or Guidelines and the student meets the criteria. |
| **FEES** | Is there help available under *Skills First* for students who can't afford to pay any tuition fees? | Yes. The Government supports certain types of students who may be in hardship by exempting them from having to pay any tuition fees. The Government also makes some priority programs free of tuition fees, to ensure as many students as possible can do them. This is called a fee waiver.<br>The current fee waivers available under *Skills First* are for students:<br>• from the Judy Lazarus Transition Centre<br>• referred to training under conditions of a community-based order made under the Children, Youth and Families Act 2005<br>• who meet the criteria for the *Skills First Youth Access initiative* and are training at a TAFE or Learn Local Organisation<br>• for one program on the Free TAFE for Priority Courses List at a TAFE<br>• doing an Infection Control Skill Set<br>• doing a skill set under JobTrainer<br>• doing '22469VIC Course in Introduction to the National Disability Insurance Scheme'.<br>You should check the Guidelines About Fees for the conditions a student must meet to get a fee waiver under these initiatives, and the evidence you must keep of their entitlement. |
| **FEES** | If I can't charge a tuition fee because there is a fee waiver, does the Department provide any funding to make up for lost revenue? | Yes, the Department pays a contribution toward the revenue you lose by charging zero tuition fees when there is a fee waiver in place. This is called the Fee Waiver Contribution. |
| **FEES** | Can I charge a student no tuition fees? | Yes, as there are no minimum tuition fees under *Skills First*. However, we only pay you for the revenue you lose if you're applying a mandatory fee waiver.<br>This is because the Government has decided on the industries and student cohorts it wants to support through fee waivers to help build the future jobs and skills Victoria needs. |
| **FEES** | How does the Department calculate the revenue forgone when a student receives a fee waiver? | In general, we calculate the fee waiver contribution by multiplying:<br>• the 'Fee Waiver Contribution per Hour' for the program as found in the 'Student Tuition Fee Contribution Report' by<br>• the number of scheduled hours the training provider is entitled to be paid Contact Hour Funds for that student in that program. |

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| | | This calculation can vary slightly for different types of fee waivers. For example, fee waiver contributions paid under:<br>• the Free TAFE for Priority Courses initiative are calculated using the 'Free TAFE Contribution per Hour' for the program as found in the 'Free TAFE Fee Waiver Reimbursement Schedule'<br>• JobTrainer are calculated using the 'Fee Waiver/Exemption Contribution per Hour' for the skill set as found in the 'JobTrainer Funded Programs Report'. |
| **FOUNDATION SKILLS** | What is the Foundation Skills List? | The Foundation Skills List is a group of programs on the Department's Funded Course List that focus primarily on skills in language, literacy and numeracy.<br>Programs on the Foundation Skills List are separated into three Domains:<br>• Domain A (General education, vocational pathways and literacy and numeracy)<br>• Domain B (English as an additional language and related programs)<br>• Domain C (disability-specific programs).<br>You can only deliver programs on this list if you have been through a quality assurance process and are added to the Department's Foundation Skills Approved Provider List. You may be approved to deliver in one or more of these Domains.<br>The Foundation Skills List also includes LNSUPPORT, which is a program that allows you to offer customised units to students that may need additional literacy and numeracy support. You don't need to be on the Foundation Skills Approved Provider List to deliver LNSUPPORT.<br>The Foundation Skills List can be found in the Guidelines About Eligibility. |
| **FOUNDATION SKILLS** | What is the Foundation Skills Approved Provider List? | The Foundation Skills Approved Provider List is a list of the training providers that can deliver Foundation Skills programs under *Skills First*, together with their approved Domains. Training providers on the list have been quality assured and approved by the Department. |
| **FOUNDATION SKILLS** | How do I get added to the Foundation Skills Approved Provider List? | You can only be added to the Foundation Skills Approved Provider List by taking part in an application process made available by the Department. You would have to go through a quality assurance assessment. The Department usually makes an application process available as part of the Provider Selection Process. |
| **FOUNDATION SKILLS** | What is pre and post-testing of Foundation Skills Gain? | Training providers who deliver Foundation Skills must measure each student's educational improvement against the Australian Core Skills Framework. This is to test the student's needs and track their progress.<br>It applies to students who study programs in Domain A or B of the Foundation Skills List.<br>**The requirement to do this reporting is currently suspended. You don't need to submit pre and post testing data unless we publish a Contract Notification to ask for the data.**<br>When we do ask you to submit the data, you will need to:<br>• collect data that measures a student's skill level against the Australian Core Skills Framework at both the start and completion of the program, or when the student withdraws from the program<br>• provide the data in the requested format and time frame. |

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| **FOUNDATION SKILLS** | Can a student get *Skills First* funding to repeat a program on the Foundation Skills List? | The student might be eligible to retrain in the same program.<br>Firstly, *Skills First* eligibility requirements for upskilling and 2 at a level in a lifetime do not apply to programs on the Foundation Skills List. So, these requirements will not prevent a student from repeating a Foundation Skills program. However, students are not eligible for *Skills First* in programs on the Foundation Skills List if they hold an AQF Level 5 (Diploma) or higher qualification.<br>You must also clearly document why an enrolment in *Skills First* is the most suitable training option for the student and will give them additional relevant competencies. This could include documents provided by a medical professional or the student's employer to explain why re-training is necessary. |
| **FUNDED COURSE LIST** | What is the Funded Course List? | The Funded Course List is the list of programs that are subsidised under the *Skills First* program. |
| **FUNDED COURSES REPORT** | What is the difference between the Funded Course List and the Funded Courses Report? | The Funded Courses Report contains more detailed information about the programs that are subsidised under *Skills First* than the Funded Course List.<br>For example, it includes information about program types (skill set or AQF qualification), subsidised training end dates and subsidy rates for different commencement periods.<br>The information in the Funded Courses Report is used to determine the payment of Funds for training that's delivered under *Skills First*.<br>The Funded Courses Report is available on SVTS. |
| **FUNDED SCOPE** | What is Funded Scope? | Funded Scope is the name given to the specific programs that an individual training provider can deliver under *Skills First*.<br>For TAFEs and Dual Sector universities – your Funded Scope is not restricted. So, if a program is on both your scope of registration and also the Department's Funded Course List, then it is automatically added to your Funded Scope.<br>For all other training providers – your Funded Scope is set when you training provider first enters into a Contract with the Department. You can apply to us to have new programs added to your Funded Scope after this, but there are conditions. |
| **FUNDED SCOPE** | How does the Department decide what goes on a training provider's Funded Scope? | Funded Scope is not restricted for TAFEs and Dual Sector universities.<br>For all other training providers, we determine Funded Scope based on the Program Delivery Plans submitted during the process of entering into a *Skills First* Contract. A program must be both on the training provider's scope of registration at the time it applies for a *Skills First* Contract and on the Department's Funded Course List. We may offer opportunities to have new programs added to your Funded Scope after this, but there are conditions. |
| **FUNDED SCOPE** | Can I add to my Funded Scope after I accept a *Skills First* Contract? | Yes, from time-to-time we may open a process where you can apply to add new programs to your Funded Scope and will notify you about how this works.<br>We decide whether new programs can be added by examining issues such as Victoria's labour market needs, individual training provider capacity and capability, and the overall budget for *Skills First* training. |

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| **FUNDING SOURCE IDENTIFIER** | How do I know which Funding Source Identifier – State Training Authority (FSI) to use when reporting training? | You should use the Funding source identifier STA supplement to identify which FSI you should use when reporting training under the *Skills First* program. The Contract and Schedules also contain information about what FSI to report for particular enrolments.<br>If you find that more than one FSI may applies to an enrolment, you should use the FSI that is least likely to financially disadvantage the student. If there is no disadvantage to the student, you should use the FSI that will benefit you most.<br>You should contact us via SVTS if reporting a FSI means you could miss out on a payment.<br>Read the Funding source identifier STA supplement for more information. |
| **FUNDS** | What are 'Funds' under *Skills First*? | 'Funds' means the payment we make to you under the Contract, including for hours of training, any contributions from the Department for applying concessions and fee waivers and any special initiatives. |
| **GUIDELINES** | What are the Guidelines under *Skills First*? | The Guidelines are documents issued by the Department that provide operational information about Contract requirements. There are three Guidelines:<br>• The Guidelines About Eligibility – describe the requirements you must apply when assessing and evidencing a student's eligibility for *Skills First*.<br>• The Guidelines About Fees – describe the requirements about fees, and the financial and accountability requirements for fees for *Skills First* training<br>• Guidelines About Apprenticeship/Traineeship Training Delivery – detail the additional requirements you must apply when delivering *Skills First* training to Apprentices and Trainees. |
| **HOMESCHOOLED STUDENTS** | Are home-schooled students eligible for *Skills First* funding? | No. Students enrolled in home-schooling aren't eligible for *Skills First* funding. |
| **HOMESCHOOLED STUDENTS** | Can a home-schooled student do a School-Based Apprenticeship/Traineeship and get *Skills First* funding? | No. Home-schooled students can't do a School-Based Apprenticeship/Traineeship (SBAT) and get *Skills First* funding. This is because SBATs can only be done as part of a Senior Secondary program (VCE or VCAL) delivered by a registered Senior Secondary provider. Parents or guardians who home-school can't be registered as Senior Secondary providers and so aren't able to be accredited to deliver SBATs. |
| **HOMESCHOOLED STUDENTS** | Do home-schooled students require an exemption from school attendance to undertake *Skills First* training? | Any student who is under 17 is legally required to be enrolled in school. If a home-schooled student is still under 17 and they want to stop attending school altogether to attend *Skills First* training, they must have an exemption from school attendance from the Department's Regional Director.To help the student, you can give them a letter of offer and advise them to contact the relevant Regional Office.<br>Read the Fact sheet: Enrolling students under 17 for more information. |
| **INDIGENOUS STUDENTS** | Is there any support for indigenous students under *Skills First*? | Yes, *Skills First* includes the following support for students who identify as being of Aboriginal or Torres Strait Islander descent:<br>• an increase of 50% to the subsidy paid to training providers (the 'indigenous loading')<br>• an entitlement to be charged a concession fee, even if the student doesn't have a concession card and for training at any level.<br>Additionally, TAFEs receive funding for the Koorie Education Programs initiative. This funding is to develop and deliver an implementation plan to meet the objectives of the Wurreker Strategy – a strategy that aims to improve education and training delivery for Koorie students. |

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| **LITERACY AND NUMERACY SUPPORT** | What is the Literacy and Numeracy Support program? | This is a program to help students who may be ready to enrol in a vocational program, but may need some additional support with foundation skills or literacy, language or numeracy skills. Under this program, you can package together up to 95 hours of selected Literacy and Numeracy Support units (LN Support units), tailored to a student's needs.<br>You can find the LN Support units and the rules for delivering them in the Literacy and Numeracy Support Implementation Guide. |
| **LITERACY AND NUMERACY SUPPORT** | Who can offer LN Support units to students? | You can offer LN Support units to students if you have the Literacy and Numeracy Support units (or their Department accredited VET program or Training Package qualification) on your scope of registration. They will then be automatically added to your Funded Scope.<br>You can offer LN Support to any student who needs extra help with foundation skills to successfully complete a vocational program. You might identify this need as part of a student's Pre-Training Review, or when they are part way through their program.<br>Trainers and assessors delivering these units must meet the competency requirements that are detailed in the Training Package or accredited course curriculum documents.<br>The LN Support units, together with regulatory requirements, are listed in the Literacy and Numeracy Support Implementation Guide. |
| **LITERACY AND NUMERACY SUPPORT** | Do LN Support units count towards my Commencement Allocation? | If you offer LN Support to a student it will not count towards your organisation's Commencement Allocation, but it will count towards the student's 'two in a year' limit on *Skills First* Training. |
| **MAXIMUM PAYABLE HOURS** | What are Maximum Payable Hours? | These are the maximum number of hours that the Department will pay Contact Hour Funds for a program delivered under *Skills First*.<br>The Maximum Payable Hours for each program are listed on the Funded Courses Report. |
| **NOTICES** | What is a Notice? | A Notice is a formal communication between the Department and a training provider who has a *Skills First* Contract. Notices can be issued by the Department to a training provider, or vice versa.<br>When a communication is defined in the Contract as a 'Notice' there are specific requirements for how it must be delivered. If a communication is a Notice, it must be:<br>• made in writing<br>• signed by the party giving it (electronic signatures are not accepted for Notices) and<br>• either be hand delivered or posted via prepaid priority post. |

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| **NOTIFICATION OF EVENTS** | What events must I tell the Department about? | You must notify us of certain events that might result in a risk for the Department. These events are listed in clause 7 of the Contract.<br>For example, you must tell us if there is a Change in Control in your organisation. A Change in Control means that any person or organisation will start to have, or will finish having, Control over your training provider.<br>You must also notify us via SVTS about:<br>• changes to ownership<br>• changes to your CEO, or any other person who holds an equivalent position to a CEO<br>• terminations of other VET funding arrangements, including within your training provider group, such as interstate funding contracts<br>• changes to your operations, including your financial viability, or if you've decided to stop operating as a registered training organisation in Victoria.<br>These requirements also help to ensure that training providers do not use their Contract as an asset to trade with someone else, without us first evaluating them against our stringent criteria for *Skills First* providers.<br>Read the Fact sheet: Change in Control and other significant changes for more information. |
| **ONLINE TRAINING AND ASSESSMENT** | Are there any specific *Skills First* requirements for online delivery of training and assessment? | Yes. There are requirements under *Skills First* to ensure that online learning is equivalent in quality to other modes of delivery. When you deliver training and assessment online, you must:<br>• publish online service standards to help students make an informed choice about what delivery mode and training provider will best meet their needs<br>• address the unique requirements of online learning when you're planning your delivery of training and assessment<br>• provide learning materials that meet the high-level principles of the Web Content Accessibility Guidelines 2.0, so that materials are presented in a manner that is perceivable, operable, understandable and robust)<br>Read the Fact sheet: Quality in online delivery for more information.<br>Also read Contract Notification: CN 2021-03 Online service standards in the Documents section of SVTS. |
| **OVERSEAS QUALIFICATIONS** | How do I assess overseas qualifications to decide if a student meets the 'upskilling' requirement? | When determining upskilling, you only need to consider overseas qualifications if they have been formally assessed to be equivalent to a level in the Australian Qualifications Framework (AQF).<br>So firstly, you must check with the student whether they have had an educational institution deem the overseas qualification to be 'equivalent' to a level in the AQF. Educational institutions use a process that involves detailed matching of content and learning outcomes between different types of qualifications. This is different to the processes used to assess overseas qualifications for migration and employment purposes.<br>If the overseas qualification is formally deemed 'equivalent' then you must consider it when you are determining upskilling.<br>Read the Fact sheet: Student eligibility for *Skills First* for more information. |

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| **PHYSICAL PRESENCE REQUIREMENT** | What is the 'physical presence' requirement? | It is Government policy that students must always be physically present in Victoria when they are doing their training and assessment. This applies regardless of the mode of delivery. Training providers can't deliver training from locations outside of Victoria, and students can't do training 100% online from a location outside of Victoria.<br>The only exception to this is where a student is doing an industry or practical placement and is temporarily located interstate or overseas for a defined period, in which case no more than 50% of the total scheduled hours can be delivered online during this period.<br>The physical presence requirement ensures that *Skills First* funding is for Victorian students and delivered to benefit of the Victorian economy. Each state offers its own subsidies for training. Interstate students can access funding from their own state government. Students that live or work close to an interstate border can still get *Skills First* funding if they cross the border into Victoria to do their training. |
| **PHYSICAL PRESENCE REQUIREMENT** | Can a student who lives interstate access *Skills First* funding? | Yes, there is no requirement that students must live or work in Victoria to access *Skills First* funding. Students can cross the state border and access *Skills First* funding, provided they are always physically present in Victoria when they're doing training and assessment.<br>There may be times where interstate students living in a border region might prefer to train with a Victorian training provider. For example, if they are employed in Victoria, or the program is not offered in their home state.<br>The only exception is that apprentices and trainees must be employed in Victoria to receive *Skills First* funding. |
| **PRACTICAL PLACEMENT** | What is a practical placement? | A practical placement is when a student goes into a workplace to develop or reinforce skills relevant to their *Skills First* training. This can be either with a host employer or the student's own employer. This includes both a placement that is required as part of a program, or a placement that the student does voluntarily.<br>A practical placement is not formal training or assessment – it is an opportunity for a student to practice and consolidate skills. However, at times a teacher might attend the workplace to deliver some training and assessment while the student is doing their practical placement.<br>Read the Practical Placement Guidelines for more information. |
| **PRACTICAL PLACEMENT** | What is a Practical Placement Agreement? | A Practical Placement Agreement is an agreement between a student, training provider and employer/host employer that contains important information about the placement, such as each person's rights and obligations.<br>You need a written Practical Placement Agreement any time a student is placed in a workplace to develop or reinforce skills relevant to their *Skills First* training. This also applies to practical placements:<br>• that are voluntary<br>• that are mandated practical placements as part of a training package or program requirements<br>• with the student's own employer<br>• with a host employer.<br>A Practical Placement Agreement is necessary should a student need to make an insurance claim for an injury sustained at the host workplace, so it is important that it is put in place for every student undertaking a practical placement.<br>Read the Practical Placement Guidelines for more information. |

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| **PRACTICAL PLACEMENT** | What should be covered in a Practical Placement Agreement? | A written Practical Placement Agreement is between you, the student and the organisation hosting the placement.<br>The minimum information you must include in a Practical Placement Agreement is:<br>• the rights and obligations of the student, training provider and organisation hosting the placement<br>• the program being studied and what skills are to be developed or reinforced<br>• the location and address of the placement<br>• the start and finish dates, and the total length of the placement.<br>You also need to make sure that the placement sufficiently and appropriately meets the vocational outcomes of the units of competency it relates to.<br>You must include enough information so that everyone is aware of what will happen during the placement. You must explain what insurance coverage is given to the student.<br>Read the Practical Placement Guidelines for more information. |
| **PRE-TRAINING REVIEW** | What is a Pre-Training Review? | A Pre-Training Review is the process you must follow with each student to decide if the training is suitable and appropriate for them. This includes deciding which is the most suitable and appropriate program if the student is considering a number of options.<br>You must have a clear and documented business process for how you will do Pre-Training Reviews and it must be consistent with the *Skills First* objectives. You must also document how you determined a program was suitable and appropriate for each student that you enrol. |
| **PRE-TRAINING REVIEW** | Why must I do a Pre-Training Review? | The Pre-Training Review is a fundamental component of *Skills First.* It ensures that training both meets the student's needs and the *Skills First* objectives that training will lead to a job, further study or access to learning for those experiencing disadvantage. |
| **PRE-TRAINING REVIEW** | When do I have to conduct a Pre-Training Review? | You must do a Pre-Training Review either as part of enrolment or before the student starts training. |
| **PRE-TRAINING REVIEW** | What do I have to consider as part of a Pre-Training Review? | When you do a Pre-Training Review, you must consider:<br>• the student's objectives for training and whether the development of new competencies and skills is likely to result in a job or an option for further study<br>• whether the student has previously acquired competencies (including through RPL, recognition of current competencies or credit transfer)<br>• the student's existing educational attainment and capabilities, literacy and numeracy skills, and digital capability (if the program includes online delivery)<br>• whether the proposed learning strategies (including online delivery) and materials are appropriate for the student, and whether any steps need to be taken to help them overcome any barriers.<br>You can use the Department's *Skills First* Pre-Training Review template in the Documents section of SVTS to help you record your Pre-Training Review. It will help you understand all the considerations involved in a Pre-Training Review and why they are important.<br>Read the Fact sheet: Consideration of literacy and numeracy skills as part of the Pre-Training Review for more information. |

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| **PRE-TRAINING REVIEW** | Do I have to do a formal LLN test as part of a Pre-Training Review? | No. You must consider a student's literacy and numeracy as part of the Pre-Training Review, but you don't have to use a formal LLN test.<br>You should make a professional judgement about what is the best way to consider a student's literacy and numeracy. But you must ensure the way you consider literacy and numeracy gives you enough information about each student to decide if the training is appropriate for them.<br>You must also make sure you consider any specific requirements for literacy and numeracy levels set out in training packages and entry requirements for programs.<br>Read the Fact sheet: Consideration of literacy and numeracy skills as part of the Pre-Training Review for more information. |
| **PRE-TRAINING REVIEW** | Do I have to conduct a new Pre-Training Review for a student who returns to resume their training in the same program or in the superseding version of a program? | In most cases you don't have to do a new Pre-Training Review if a student who previously took a break from study returns to you to restart training in the same program or in the superseding version of that program.<br>However, sometimes you should reconsider whether the training is suitable and appropriate for the student. For example, a student who has had a particularly long absence from training may have lost previous competencies. Similarly, the new learning strategies and materials in a superseding version of a program may be unsuitable for a student.<br>If your review identifies substantial differences in the student's abilities and what is required of them, you may need to think about whether they need any extra support to succeed. |
| **PRE-TRAINING REVIEW** | Can we use information from the student's Pre-Training Review to enrol them in another program? | Yes, you can use some of the information your organisation has already collected about a student in a previous Pre-Training Review, if it is still current and relevant. But you still need to make sure the new training is suitable and appropriate for the student. |
| **PRE-TRAINING REVIEW** | Do I still need to do a Pre-Training Review for apprentices and trainees when they've already agreed with their employer about what program to do? | Yes. You must do a Pre-Training Review for an apprentice or trainee even if they and their employer have decided what program they will do. You must make your own decision about whether the training is suitable and appropriate for them.<br>The Pre-Training Review also helps you to decide whether the apprentice or trainee needs extra support or adjustments to help them to succeed in their training.<br>If you conclude that the training is not suitable and appropriate for the student, you should initiate communication between the student, the employer and the Australian Apprenticeship Support Network (AASN) provider to discuss alternative pathways for the student. |
| **PRE-TRAINING REVIEW** | Is there a Pre-Training Review template? | Yes. We've published a *Skills First* Pre-Training Review template that you can choose to use and customise to your needs. You are welcome to use this template, or to take ideas from it to improve your organisation's own Pre-Training Review templates and business processes. It isn't mandatory to use it.<br>The template is available in the Documents section of SVTS. |
| **PROGRAM ALLOCATION** | What is a Program Allocation? | A Program Allocation is a maximum number of commencements that can be delivered in a specific program. A Program Allocation can be made to apply across the whole market or for an individual training provider.<br>Program Allocations allow us to reduce the potential oversupply of training in any individual program and ensures that training is aligned to jobs and skills needs and Government priorities.<br>We also apply Commencement Allocations at the time of Contract offer. This puts a limit on the total number of commencements a training provider can do within a fixed period of time. |

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| **PROGRAM ALLOCATION** | How does the Department set a Program Allocation? | We use training providers' Program Delivery Plans (PDPs) to set Program Allocations.<br>PDPs detail what training providers want to deliver and how many students they think they will be able to train. We analyse the data from all the submitted PDPs, to decide if there is a risk of oversupply in a particular program and whether to limit the amount of training in a program that can be delivered under *Skills First.* In reaching this decision, we consider Victoria's jobs and training needs, Government priorities and individual training provider capability and capacity. |
| **PROGRAM ALLOCATION** | Can I increase my Program Allocation? | Sometimes we'll remove the limit placed on the delivery of a program or offer a process for you to apply for an increase to a Program Allocation.<br>When evaluating an application to increase a Program Allocation we'll consider issues such as labour market needs, Government priorities and individual training provider capacity and capability. |
| **PROGRAM DELIVERY PLANS** | What's a Program Delivery Plan? | A Program Delivery Plan is a document we ask all training providers to fill out to guide our decisions about Commencement Allocations and Program Allocations. This document includes details of the training you want to deliver in the coming year and an estimate of how many students you think you'll be able to train.<br>These plans must be submitted when training providers first apply for a *Skills First* Contract and then again prior to each additional calendar year if the Contract is a multi-year agreement. |
| **PROGRAM UNIQUE SUPERVISED HOURS** | What is Program Unique Supervised Hours? | Program Unique Supervised Hours (PUSH) means the total number of unique hours of supervised training and assessment undertaken by a student in their program. Its purpose is to provide an indication of the intensity of the study by looking at how many hours the student spends undertaking training and assessment for the whole program.<br>PUSH will generally be the same as the hours in the student's timetable. For example, if two subjects each of 10 scheduled hours are being delivered as a cluster, only 10 PUSH should be reported as the student would have only actually attended 10 hours of supervised training, not 20 hours. |
| **RECORDKEEPING** | What is a Record under the VET Funding Contract? | A Record is any 'document' within the meaning of the Evidence Act 2008 (Vic) that a training provider or staff produces or obtains in the course of performing its obligations under the Contract.<br>Some examples are:<br>• 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<br>• evidence that training and assessment was appropriate and of high quality<br>• information related to *Skills First* Teachers<br>• quotes, invoices and receipts to subcontractors and other third parties<br>• invoices or statements to students<br>• bank statements to confirm fee payment<br>Read the Fact sheet: Recordkeeping requirements for more information. |

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| **RECORDKEEPING** | How long does our organisation have to keep Records under the VET Funding Contract? | You must keep Records for each student until three years after they have completed or withdrawn from their training.<br>Remember that aside from the Contract, you may need to retain Records for longer if required to do so by any applicable law or standard.<br>Read the Fact sheet: Recordkeeping requirements for more information. |
| **RECORDKEEPING** | Can I keep Records in electronic format? | Yes, you can create and keep any of your Records electronically.<br>Read the Fact sheet: Recordkeeping requirements for more information. |
| **RECOGNITION OF PRIOR LEARNING** | What is Recognition of Prior Learning (RPL)? | RPL is a process of assessing a student's existing competency—acquired through formal and informal learning—to determine if they already meet the requirements for a subject they want to enrol in.<br>Under *Skills First*, RPL is considered part of the training and assessment you deliver to students. This is because RPL involves you undertaking a rigorous assessment of whether a student has formally or informally achieved the required learning and competency outcomes of a program or part of a program. |
| **RECOGNITION OF PRIOR LEARNING** | Can I claim funds for Recognition of Prior Learning (RPL)? | You can claim for RPL if:<br>• an RPL subsidy appears on the Funded Courses Report for the program; and<br>• you keep Evidence of Participation as you would for other training and assessment.<br>You can't claim for Credit Transfer and RCC under *Skills First*. Credit Transfer and RCC are about recognising the formal study the student has successfully completed in the past. This is different to undertaking a rigorous RPL assessment.<br>However, we consider Credit Transfer and RCC to be Training Services under which the Department pays *Skills First* funding to contribute to their cost. |
| **SKILL SETS** | What is a skill set? | Skill sets are programs on the Department's Funded Skill Set List, and include:<br>• programs with the title 'Course in….'<br>• a skill set from a Training Package<br>• an accredited single subject<br>• a group of accredited subjects.<br>They are industry-validated short courses that responds to skills shortages and workforce demands.<br>Read the Fact sheet: Understanding skill sets for more information. |
| **SKILL SETS** | Can a student get *Skills First* funding for skill sets? | Yes, a student can get *Skills First* funding for skill sets on the Funded Skill Sets List.<br>Students need to meet the usual *Skills First* eligibility requirements to enrol in a skill set. However, because skill sets are not aligned to AQF levels, students don't need to meet the upskilling and 2 at level in a lifetime rules.<br>Read the Fact sheet: Understanding skill sets for more information. |

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| **SKILLS FIRST OBJECTIVES** | What are the objectives of the *Skills First* Program? | These objectives are the key goals of the *Skills First* program. You must apply them in your delivery of Training Services. Training Services must be:<br>• high quality and relevant to industry and employers<br>• provided to *Skills First* Students to:<br>  ○ enable them to get the skills they need to make them job-ready<br>  ○ help them to undertake further education<br>  ○ promote and enable participation in training for disadvantaged learners<br>• provided by the training provider in the best interests of *Skills First* Students.<br>You must behave in a way that upholds these objectives.<br>You must perform your contractual obligations consistently with these objectives, in a manner that promotes their achievement, and apply them to resolve ambiguities in how the Contract is interpreted. However, this must not limit or be inconsistent with any of your obligations or the Department's rights or powers.<br>The *Skills First* Quality Charter explains what the Department expects from you when providing key aspects of Training Services under the Contract. |
| **SKILLS FIRST TEACHER** | What is a *Skills First* Teacher? | *Skills First* Teacher is the name used in the Contract for a person who delivers training or assessment. Only *Skills First* Teachers with the qualifications and experience set out in regulatory requirements can deliver *Skills First* training and assessment. |
| **SPECIAL INITIATIVES** | What are Special Initiatives? | A Special initiative is additional funding the Department gives to training providers for particular Government priorities. This may be in the form of grants or extra subsidies. These special initiatives are documented in a separate Schedule to a training provider's Contract. |
| **STATEMENT OF FEES** | What is a Statement of Fees? | The Statement of Fees is a document that sets out fee and other information for students.<br>It provides the student with:<br>• information about the program they are enrolling in<br>• the cost of the program, including if they will get a concession or fee waiver<br>• approximately how much the Government will contribute to their training<br>• other applicable fees, such as student services fees.<br>You must give students a Statement of Fees before they start their training. |
| **STATEMENT OF FEES** | How do I calculate 'hourly tuition fees'? | You calculate the hourly tuition fee by dividing the tuition fee you charged the student by the number of scheduled hours of supervised training and assessment. This is known as the Contact Hours. This amount is reported in cents in the 'Client Tuition Fee' field in your Training Activity NAT00120 file. |
| **STATEMENT OF FEES** | Do I need to give a student a Statement of Fees if someone else, such as their employer, is paying for the cost of their training? | Yes. You must give students a Statement of Fees regardless of who is paying for the training. It gives the student information about the cost of their training and how much the government is contributing to it. |

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| **STUDENT INFORMATION** | What information should I give students at various stages in their *Skills First* training? | For prospective students, you must:<br>• maintain an up-to-date profile on the Victorian Skills Gateway<br>• maintain information on your public website, including about fees and subcontracting arrangements<br>• be accurate, honest, ethical and responsible when promoting training and recruiting students. Your promotional materials should encourage students with disabilities to access *Skills First* training<br>• comply with the Australian Consumer Law<br>• give students clear information about their proposed training<br>• not offer someone, either directly or indirectly, any incentives to enrol in *Skills First* training. This could be a financial incentive or otherwise. For example, offering a prospective student a laptop or voucher.<br>Before enrolment, you must:<br>• tell a student if they are being enrolled under the *Skills First* program<br>• explain to the student how accessing *Skills First* training now will affect their future entitlement to government-subsidised training.<br>Before commencement, you must:<br>• give a student a Statement of Fees – even if they are not paying the fees (for example, where their employer is paying for training). Refer to clause 1.2 of the 2021 Guidelines About Fees.<br>• for practical placements, you must have a separate written agreement with the employer or host organisation, in addition to the Training Plan. Refer to the Practical Placement Guidelines.<br>After commencement, you must:<br>• up to four weeks after the start of training, develop a Training Plan.<br>• have a complaint handling and appeals process for receiving and resolving student complaints.<br>At completion, you must:<br>• comply with regulatory standards and the Australian Qualifications Framework when issuing qualifications and statements of attainment.<br>Read the Fact sheet: Student information and protection for more information. |
| **STUDENTS UNDER 17** | Can I enrol a student under 17 in *Skills First* training? | Yes, you can enrol a student under 17 in *Skills First* training, but only if they have been given an exemption from school attendance to attend training. Students under 17 who are still enrolled in school and doing a *Skills First*-funded SBAT don't need an exemption.<br>Read the Fact sheet: Enrolling students under 17 for more information. |
| **STUDENTS UNDER 17** | How can a student who is under 17 get an exemption from school attendance to undertake *Skills First* training? | Schools usually manage student exemptions. The process for obtaining an exemption involves the school, the student and their parents or carers. You don't have a formal role in this process, but you should advise the school or parents/carers about suitable and appropriate training options for the student.<br>For example, you can choose to undertake all or part of a Pre-Training Review with the student so that you are able to issue a letter of offer that explains why the training would be suitable and appropriate for the student. This will help the school principal or Regional Director decide whether enrolment in training is in the student's best interests. You can't ask for an exemption on a student's behalf.<br>Read the Fact sheet: Enrolling students under 17 for more information. |

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| **STUDENTS UNDER 17** | What exemption documents should I sight and retain? | Before enrolling a student who will be under 17 when their training starts, you must sight and retain a copy of their exemption from school attendance. You must not enrol a student who cannot provide evidence of their exemption.<br><br>The evidence of exemption you need to sight and retain is different depending on whether the student has completed Year 10 or is not currently enrolled in a Victorian school. For example, if they're home-schooled or from overseas or interstate.<br><br>Our Fact sheet: Enrolling students under 17 explains what exemption documents you must check, sight and retain before enrolling a student under 17. |
| **STUDENTS UNDER 17** | What happens when a student with an exemption wants to change program or training provider? | If a student still under 17 wants to change their program or move training provider, then this change must be formally approved by the original approver of the exemption from school attendance, such as the school principal or Regional Director.<br><br>You must sight and retain confirmation of the change to the student's exemption before enrolling them.<br><br>Read the Fact sheet: Enrolling students under 17 for more information. |
| **STUDENTS UNDER 17** | What should I do if a Student still under 17 stops attending or complete training? | You must notify the Department's Regional Office and the student's previous school if the student stops attending, disengages from, or completes their training – and is still under 17.We will help the student resume school or start another full-time education, training or employment pathway.<br><br>Our Fact sheet: Enrolling students under 17 has contact details for the Manager Youth Pathways and Transitions at all our Regional Offices. |
| **STUDENTS UNDER 17** | If a student turns 17 by the time their training starts, do I still have to sight and retain evidence of an exemption from school attendance? | No. If the student will be 17 years old when their training starts, you don't have to sight and retain evidence of an exemption from school attendance.<br><br>Read the Fact sheet: Enrolling students under 17 for more information. |
| **SUBCONTRACTING** | What is subcontracting? | Under *Skills First*, subcontracting is when you engage either a business, or a person operating under a business structure, to carry out Training Services on your behalf.<br><br>The Fact sheet: 2021 subcontracting, Subcontracting approval request form and Subcontractor declaration form are all available in the Documents section of SVTS. |
| **SUBCONTRACTING** | Can I subcontract Training Services? | Yes, you can subcontract any of the Training Services you provide under the Contract, except for the Pre-Training Review.<br><br>There are specific requirements for some types of subcontracting.<br><br>**Subcontracting training and assessment**<br><br>You must get our prior written approval **before** you subcontract training and assessment. We will then inform you about the process to apply to subcontract training and assessment. This process includes you demonstrating that the proposed subcontracting arrangement is genuine and specialised, limited, and has appropriate governance in place.<br><br>If we approve your subcontracting of training and assessment, there are extra conditions you must meet. This includes making it clear to students that they are enrolled to do their training with you and not the subcontractor. |

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| | | **Brokering Services**<br>You must report to us your use of Brokering Services (subcontracting where you pay a third party to recruit students) and publish information about these services on your website.<br>**Subcontracting other Training Services**<br>You do not need our approval to subcontract other aspects of the Training Services, such as administrative tasks or marketing. But you must still follow all the subcontracting rules set out in your *Skills First* Contract.<br>**Sole traders**<br>You do not need our approval to directly engage a genuine Sole Trader for the purpose of undertaking training or assessment.<br>A Sole Trader operates as an individual under a sole trader business structure, rather than through any company or other corporate or legal structure. If they hold an Australian Business Number (ABN) this must be held in their personal capacity.<br>A Sole Trader is not a:<br>• company<br>• trust<br>• partnership<br>• body corporate<br>• body politic<br>• partnership<br>• incorporated or unincorporated association.<br>You require our prior written approval before subcontracting to these business structures, including if you subcontract with a sole proprietor of a company.<br>The Fact sheet: 2021 subcontracting, Subcontracting approval request form and Subcontractor declaration form are all available in the Documents section of SVTS. |
| **SUBCONTRACTING** | What do I put in a subcontracting agreement? | You must ensure your subcontracting agreement for Training Services includes conditions that:<br>• clearly detail exactly what the subcontractor is being asked to do<br>• prevent the subcontractor from subcontracting to someone else<br>• require the subcontractor to provide any information, documentation or assistance that may be required under your Contract, such as records of Training Services<br>• require the subcontractor to cooperate with any audits or investigations<br>• allow you to terminate the agreement immediately if your subcontractor holds a *Skills First* Contract and has it terminated<br>• allow you to suspend or terminate the subcontracting agreement immediately without notice if your Contract is suspended or terminated.<br>We can ask you for a copy of any executed subcontracting agreement.<br>The Fact sheet: 2021 subcontracting, Subcontracting approval request form and Subcontractor declaration form are all available in the Documents section of SVTS. |

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| **TRAINING AND ASSESSMENT STRATEGY** | What is a Training and Assessment Strategy (TAS)? | A Training and Assessment Strategy (TAS) is the plan for delivering a particular program, tailored to a particular cohort of students. You must have a TAS for each student cohort within each *Skills First*-funded program. There are particular things that must be covered in the TAS. For example, if you plan to deliver a program in a shorter time than set out in the Australian Qualifications Framework, you need to justify this in the TAS based on the cohort of students. The TAS must also address the unique requirements of any training delivered online.<br><br>Regardless of whether you're registered with ASQA or VRQA, you should develop your TAS in line with the national Standards for RTOs 2015 and Users' guide. |
| **TRAINING PLAN** | What is a Training Plan? | A Training Plan is information you create for a student to tell them about their training and assessment, such as how much training, when, how and by whom. It sets out your obligations and the student's commitments.<br><br>For apprentices and trainees, the Training Plan is developed with the employer and so also reflects the employer's obligations. The Training Plan is also used to track the apprentice or trainee's progress as they achieve competencies, and to keep them and their employers up to date on this progress. |
| **TRAINING PLAN** | What do I have to put in a Training Plan? | If your student is **NOT** an apprentice or trainee, then the Training Plan must include the:<br>• name and contact details of the training provider<br>• title and code of the program<br>• expected duration of the program<br>• title and code for each subject to be completed as part of the program<br>• scheduled hours for each subject<br>• timeframe for each subject including the start date and end date of each subject<br>• delivery modes to be used for each subject<br>• methods of assessment for each subject<br>• persons responsible for the delivery and assessment of each subject (if this information is not available when you first give the student their Training Plan, it must be made available as soon as is reasonably practicable)<br>• record of any RPL and credit transfer hours granted.<br>If your student **IS** an apprentice or trainee, the Training Plan must also include the:<br>• name and contact details of the training provider representative, employer and apprentice or trainee and, for school-based apprentices or trainees, the school's representative<br>• timeframes for each subject including the start dates and end dates, and the actual dates for if training has already started<br>• delivery modes, detailed training activities and persons responsible for any workplace-based structured training and off-the-job structured training (if this information is not available when you first give the student their Training Plan, it must be made available as soon as is reasonably practicable)<br>• time allocated for structured training outside routine work duties<br>• any other specific requirements to be met in accordance with the Training Contract or the Approved Training Scheme. |

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| **TRAINING PLAN** | When should I give a student a Training Plan? | A Training Plan must be developed for each *Skills First* student for each program they are enrolled in.<br>The Training Plan can either be given to the student before their training starts, or within four weeks after their training commencement date. |
| **TRAINING PLAN** | Does a Training Plan need to be signed? | For apprentices and trainees, a Training Plan needs to be signed by the employer and the apprentice or trainee.<br>If the Training Plan is for a school-based apprentice or trainee, it also needs to be signed by a representative from the school.<br>For a non-apprentice or trainee who is doing training that takes place in their own workplace where they are an employee, the Training Plan must be agreed to and signed by the employer that manages and controls that workplace.<br>A Training Plan can be signed using electronic signatures. Read the Fact sheet: Using electronic signatures for more information. |
| **TRAINING PLAN** | Can a Training Plan be one document, separate documents or incorporated into an online learning management system? | For apprentices and trainees, the Training Plan should be in a single document. This makes it easier to ensure the apprentice or trainee and their employer have the same information, including information on the progress in gaining competencies. The Training Plan can be in electronic form.<br>For students that are not apprentices or trainees, the Training Plan does not have to be in a single document. The information can be spread across multiple documents including timetables, unit guides and enrolment summaries. The information can be provided to the student via an online learning management system.<br>Your organisation must have a clear and documented business process that shows how the Training Plan is authorised and how it is made available to each non-apprentice or trainee student. |
| **TRAINING PLAN** | Why are there different timeframes for developing Training Plans and signing a Training Contract? | This is because the Training Plan is about what training providers need to do for students and the Training Contract mostly concerns the employers' obligations to their apprentices or trainees.<br>Your obligation is to ensure the Training Plan is developed within 4 weeks after the student's training starts.<br>The employers' obligation is to ensure their apprentice or trainee is enrolled with a training provider and has a Training Plan signed within 3 months of the start of the Training Contract (or 2 months for school-based arrangements).<br>You must ensure that the student's enrolment and planning timeframes don't prevent the employer from meeting their obligation. However, you haven't failed to meet your responsibility if an employer doesn't engage with you until the 3-month period is almost finished. |

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| **TRAINING SERVICES** | What are Training Services? | Training Services is the name given to all training-related activities that you might carry out under *Skills First*. It includes:<br>• advertising and marketing programs to students<br>• giving students information about program offerings, fees, support and how training will affect their future access to *Skills First* funding<br>• doing the Pre-Training Review<br>• testing whether students are eligible for *Skills First* funding and any concession or fee waiver<br>• doing the enrolment process<br>• developing and documenting a Training Plan<br>• levying fees (including any concessions or waivers)<br>• delivering training and assessment<br>• collecting and maintaining evidence about the delivery of Training Services<br>• reporting data and other information to the Department.<br>The Department pays you *Skills First* funding to contribute to your cost of providing Training Services. |
| **VICTORIAN PURCHASING GUIDE** | What are the Victorian Purchasing Guides? | The Victorian Purchasing Guides contain information about the hours allocated for subjects and programs within training packages.<br>Training delivered under the *Skills First* program must be consistent with any applicable Victorian Purchasing Guides. The Department will also not pay for training that is more than two times the hours per subject that are published in the Victorian Purchasing Guides.<br>Read more about the Victorian Purchasing Guides. |