Welcome to the March 2011 National update from the national vocational education and training (VET) regulator taskforce.

The taskforce is committed to keeping stakeholders up to date on the progress towards establishing the national regulator.

We will continue to provide monthly updates through this newsletter, which is sent to state and territory regulators, registered training organisations, industry bodies and interested individuals.

NEW LEGISLATION AND NAME FOR THE NATIONAL REGULATOR

The taskforce welcomes the passing of the legislation to establish the national VET regulator, which will operate as the Australian Skills Quality Authority (ASQA) from 1 July 2011.

After conducting its inquiry, the Senate Committee for Employment, Education and Workplace Relations recommended that the Australian Government pass the legislation to establish the regulator. Subsequently the Senate passed the legislation on 23 March 2011 and the House of Representatives on 24 March 2011.

The Minister for Tertiary Education and Skills, Senator Chris Evans, has also stated that once the National Vocational Education Training Regulator Act is enacted, a range of amendments will address the issues that arose in the Senate Committee inquiry and in the Scrutiny of Bills Committee. He has indicated that these amendments may occur in August 2011. The Department of Education, Employment and Workplace Relations (DEEWR) will consult with stakeholders through April and May 2011 on the necessary amendments.

DEEWR is also now proceeding with the recruitment of the three commissioners—the Chief Commissioner, the Commissioner (Risk Analysis and Investigation) and the Commissioner (Compliance).

COLLABORATION

In March, members of the taskforce met with representatives of the three provider organisations—TAFE Directors Australia, Australian Council for Private Education and Training, and the Enterprise Registered Training Organisation Association—to discuss a range of issues. A matter of mutual interest is ASQA’s approach to risk management in the VET sector (see Our regulatory approach on page 2). A second meeting is scheduled in April.

Liaison with industry bodies and with the Tertiary Education Quality Standards Agency continues.
OUR REGULATORY APPROACH

ASQA regulates in accordance with the VET Quality Framework and the Standards for Accredited Courses. ASQA will apply its powers with rigour, fairness and consistency.

Responsibility for compliance rests with training organisations and course owners: Registered training organisations (RTO) owners, boards and management, and course owners are responsible for ensuring that they comply at all times with the approved national standards. ASQA will help them interpret and understand regulatory requirements and guidelines.

Regulation will be risk-based and targeted: ASQA will apply a primarily risk-based approach to regulation and, in line with international best practice, will focus on anticipating problems. Resources will target areas posing the greatest risk to quality VET delivery. We will minimise regulatory interventions for consistently compliant RTOs.

Sanctions will be proportionate and meaningful: ASQA’s processes will identify non-compliant RTOs and determine the appropriate regulatory interventions, including sanctions proportionate to the impact of non-compliance. ASQA will require that courses are amended or cancelled if they do not meet standards. Consistency in the application of sanctions will provide certainty in the training market.

You can find further information about our regulatory approach when our website is launched in April.

ASQA WEBSITE

The Australian Skills Quality Authority (ASQA) will launch a website in April.

The website will include:

- information about the national regulator and its processes
- up to date responses to frequently asked questions
- information about the transition process including how it will affect RTOs and course owners
- a subscription service
- contact details.

The website will be updated regularly, and RTOs and course owners are encouraged to stay informed of changes that may affect them by subscribing to updates.

All RTOs and course owners should continue to work with their state or territory regulator until their state or territory makes the transition to the national regulator.

TASKFORCE PRIORITIES

The taskforce is continuing its work in ensuring ASQA will be ready to begin operations on 1 July 2011. In particular, the taskforce is focusing on:

- developing bilateral agreements with referring states and territories
- managing the transition of staff from regulators in NSW, ACT and NT for 1 July 2011
- developing a fair and comprehensive fees schedule for consideration by the Ministerial Council
- appointing National Compliance Managers for most jurisdictions.

FURTHER INFORMATION

You will receive an email alert in April 2011 when our new website launches. You can also ask the taskforce a question or provide feedback by emailing enquiries@asqa.gov.au.