



# REPORT

## **Audit report: Mint Training Pty Ltd**

Date/s of audit: 30 January - 1 February 2018

Date report created: 1 February 2018

Date report updated: 17 April 2018

## Organisation details

Organisation's legal name:	Mint Training Pty Ltd
Trading name/s:	Mint Training Pty Ltd
RTO number:	21524
CRICOS number:	N/A

## Audit team

Lead auditor:	Roslyn Braid
Assistant/s:	N/A

## Audit details

Application number/s:	ADDVET0026613, INTCRI0000427	
Audit number:	AUDREC0007498, AUDREC0007738, CMLPNT0010278	
Audit reason	Application - change Application - initial & Complaint	
Address of site/s visited:	Ground Floor 99 Queensbridge St SOUTHBANK VIC 3006	
Date/s of audit:	30/01/2018 - 01/02/2018	
Organisation's contact for audit:	Ms Zahra Al Awady zahra@mintgroup.com.au	Director 1300 130 432

## Original finding at time of audit

### Audit finding: Serious non-compliance

Report completed by: Roslyn Braid

Practice	Standards for RTOs 2015	National Code 2017	Finding
Marketing/Recruitment	4.1	D1.2	Not compliant
Enrolment	5.1, 5.2, 5.3, 7.3	D2.1, D2.2, D3.1, D3.2	Not compliant
Support and Progression	1.7	D6.1, D6.2, D6.3, D6.5, D6.6, D9.1, D9.2, D10.1, D10.2, D10.5, D10.6, D11.1-11.9, D13.2	Not compliant
Training and Assessment	1.1, 1.2, 1.3, 1.8, 1.13-1.18, 1.20	D14.1, D14.2	Not compliant
Completion	3.1		Not compliant
Regulatory Compliance / Governance	2.3, 2.4, 8.2	D4.1, D4.3, D4.4, D4.5	Not compliant

## Audit finding following analysis of additional evidence

### Audit finding following analysis of additional evidence provided on 26/03/2018 : Minor non-compliance

Report completed by: Roslyn Braid

Practice	Standards for RTOs 2015	National Code 2017	Finding
Marketing/Recruitment	4.1	D1.2	Compliant
Enrolment	5.1, 5.2, 5.3, 7.3	D2.1, D2.2, D3.1, D3.2	Compliant

Support and Progression	1.7	D6.1, D6.2, D6.3, D6.5, D6.6, D9.1, D9.2, D10.1, D10.2, D10.5, D10.6, D11.1-D11.9, D13.2	Compliant
Training and Assessment	1.1, 1.2, 1.3, 1.8, 1.13, 1.18, 1.20	D14.1, D14.2	Not compliant
Completion	3.1		Compliant
Regulatory Compliance /Governance	2.3, 2.4, 8.2	D4.1, D4.3, D4.4, D4.5	Compliant

## Background

Summary of organisation and management structure:

- Mint Training Pty Ltd was first registered with VRQA in June 2004, and transferred to ASQA in July 2011.
- The management structure includes a Director/CEO, Chief Financial Officer, an RTO Manager, Training Manager/Coordinator and various trainer and assessors.
- The current owner purchased the RTO in August 2016 with a vision that early childhood students and workers could develop their skills and knowledge in leadership and management roles within the early childhood sector.

Scope of registration:

- Mint Training Pty Ltd's scope of registration includes qualifications and units of competency from:
  - Business Services
  - Community Services
  - Tourism, Travel and Hospitality
  - Health
- The RTO has submitted a CRICOS initial application with a requested capacity of 120. Its intended delivery site is at 99 Queensbridge Street SOUTHBANK and will offer the following qualifications:
  - *BSB51915 Diploma of Leadership and Management*,
  - *CHC50113 Diploma of Early Childhood Education and Care*,
  - *SIT30816 Certificate III in Commercial Cookery*, and
  - *SIT50416 Diploma of Hospitality*.

Suburb and state of all delivery locations:

- Mint Training Pty Ltd conducts their delivery at:
  - 92 Edwards Street PERTH,
  - Suite 3 Level 3 47 South Tce ADELAIDE, and
  - 58 Rupert St COLLINGWOOD and
  - 99 Queensbridge St SOUTHBANK.

Third party usage:

- Mint Training Pty Ltd uses 3rd parties to recruit prospective learners, enrol learners (incl. fee receiving) and for the delivery of training and/or assessment.

Core clients/target groups:

- The students are over 18 years of age and predominately from a non-English speaking background.
- The RTO plans to recruit their international students from Asia, Europe and the Middle East.

Training revenue (Funded or fee for service):

- The RTO only receives funding for delivery in Western Australian.

Total number of current enrolments as at audit date:

- 84

In preparing the audit report, consideration has been given and reference made, where relevant, to:

- Information provided by students as part of a student survey or interview.
- Information provided directly by Mint Training Pty Ltd to ASQA
- Existing information and records held by ASQA concerning Mint Training Pty Ltd
- Information provided to ASQA's auditors and documentation reviewed during the site audit of Mint Training Pty Ltd conducted on 30 & 31 January & 1 February 2018.
- Other publically available information - including but not limited to, information published on the organisation's and third party websites.

## Audit Sample

Code	Training products	Mode/s of delivery / assessment*	Current enrolments
22253VIC	Certificate III in EAL (Access)	face to face	0
CHC33015	Certificate III in Individual Support	face to face/workplace	0
CHC30113	Certificate III in Early Childhood Education and Care	face to face/workplace	30
CHC50113	Diploma of Early Childhood Education and Care	face to face/workplace	15
SIT30616	Certificate III in Hospitality	face to face/workplace	25
BSB51915	Diploma of Leadership and Management	face to face	2

\*Apprenticeship, Traineeship, Face to face, Distance, Online, Workplace, Mixed, Other (specify)

## Interviewees

Name	Position	Training products
Zahra Al Awady	CEO	na
Sonny Banga	RTO manager	na

## About this Report

This report details findings against the *Standards for Registered Training Organisations 2015* (Standards for RTOs 2015) and/or the *National Code of Practice for Providers of Education and Training to Overseas Students 2017* (National Code). If non-compliance has been identified, this report describes evidence of the non-compliance.

Where non-compliance has been identified, the Registered Training Organisation is accountable for identifying and correcting non-compliant practices and behaviours, particularly those that have had a negative impact on learners.

Correcting non-compliance may require:

- correcting a process or system that has led to the non-compliance, and implementing a revised process or system
- identifying the impact on learners and carrying out remedial action for current and past learners

## Original Action required by RTO

Mint Training Pty Ltd did not meet all requirements for clauses: 5.1, 5.2, 5.3, 7.3, 1.7, 6.5, 1.2, 1.3, 1.8, 3.1 and 1.13 of the *Standards for Registered Training Organisations (RTOs) 2015*, and Standards: D2.1, D2.2, D3.2, D6.2, D6.3, D6.1, D8.1, D8.5, D14.1 and D14.2 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*.

Remedial action required for the following training products:

- *CHC30113 Certificate III in Early Childhood Education and Care*
- *CHC50113 Diploma of Early Childhood Education and Care*

The assessment system does not comply with the assessment requirements of the training product and was not conducted in accordance with the principles of assessment and rules of evidence.

Learners may not have the skills and knowledge required by the training package.

The RTO is required to provide evidence that it has:

- addressed the non-compliance so that future students will not be negatively impacted, and
- identified the impact the non-compliance has had on students over the past 6 months and carried out remedial action to address this impact.

The RTO is required to provide evidence that demonstrates that:

Clauses 5.1 and 5.2

Standards D2.1 and D2.2

- the information given to the learner is current and accurate.

Clause 5.3

Standard D3.2

- the fee information given to the learner includes all relevant fees information.

Clause 7.3

- it meets the requirements set out in the Requirements for Fee Protection in Schedule 6.

Clause 1.7

#### Standards D6.2 and D6.3

- the support needs given to the learner includes support for educational, welfare-related course progress and accommodation.

#### Standard D6.1

- there is an orientation programme that assists students to adjust to study and life in Australia.

#### Clause 6.5

- it does have a register of its complaints and appeals and outcomes and that it takes action to eliminate or mitigate the likelihood of reoccurrence.

#### Clause 1.2

- the amount of training considers the existing skills, knowledge and experience of the learner.

#### Clause 1.3

#### Standards D14.1 and D14.2

- the RTO has for all its scope of registration sufficient trainers and assessors, facilities and educational and support services.

#### Clause 1.8

- the assessment system ensures assessments are conducted in accordance with Principles of Assessment and Rules of Evidence.

#### Clause 1.13

- its training and assessment is delivered only by persons who meet all the requirements of this clause.

#### Clause 3.1

- the RTO issues AQF certification only to learners whom it has assessed as meeting all the requirements of the training package.

### **Audit finding following analysis of additional evidence**

Following analysis of additional evidence provided by Mint Training Pty Ltd on 26 March 2018 the RTO:

- provided sufficient evidence to demonstrate compliance with 5.1, 5.2, 5.3, 7.3, 1.7, 6.5, 1.3, 1.8, 3.1 and 1.13 of the *Standards for Registered Training Organisations (RTOs) 2015*, and Standards: D2.1, D2.2, D3.2, D6.2, D6.3, D6.1, D8.1, D8.5, D14.1 and D14.2 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*
- remains non-compliant with Clause 1.2 of the *Standards for Registered Training Organisations (RTOs) 2015*.

Refer to analysis of additional evidence detailed under each clause in this report for further information.

## Areas of non-compliance

### Marketing/Recruitment Practices

#### Standards for RTOs Clause 4.1

Information, whether disseminated directly by the RTO or on its behalf, is both accurate and factual, and:

- a) accurately represents the services it provides and the training products on its scope of registration;
- b) includes its RTO Code;
- c) refers to another person or organisation in its marketing material only if the consent of that person or organisation has been obtained;
- d) uses the NRT Logo only in accordance with the conditions of use specified in Schedule 4;
- e) makes clear where a third party is recruiting prospective learners for the RTO on its behalf;
- f) distinguishes where it is delivering training and assessment on behalf of another RTO or where training and assessment is being delivered on its behalf by a third party;
- g) distinguishes between nationally recognised training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the RTO;
- h) includes the code and title of any training product, as published on the National Register, referred to in that information;
- i) only advertises or markets a non-current training product while it remains on the RTO's scope of registration;
- j) only advertises or markets that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised;
- k) includes details about any VET FEE-HELP, government funded subsidy or other financial support arrangements associated with the RTO's provision of training and assessment; and
- l) does not guarantee that:
  - i) a learner will successfully complete a training product on its scope of registration; or
  - ii) a training product can be completed in a manner which does not meet the requirements of Clause 1.1 and 1.2; or
  - iii) a learner will obtain a particular employment outcome where this is outside the control of the RTO.

#### National Code Standard D1.2

The registered provider must:

- a) clearly identify the registered provider's name and CRICOS number in written marketing and other material for students, including electronic form, and
- b) not give false or misleading information or advice in relation to:
  - i) claims of association between providers
  - ii) the employment outcomes associated with a course
  - iii) automatic acceptance into another course
  - iv) possible migration outcomes, or
  - v) any other claims relating to the registered provider, its course or outcomes associated with the course.

#### **Findings: Not compliant**

Evidence reviewed in relation to marketing

Course information for students for;

- *CHC33015 Certificate III in Individual Support*
- <http://www.mintgroup.com.au/>

*CHC33015 Certificate III in Individual Support* contains the information that the qualification is called *CHC33015 Certificate III in Individual Support (Aged Care)* where it should be (Ageing)

The website lists qualifications that are not on the RTO's scope of registration.

This was rectified at audit.

The organisation is compliant with this Clause.

## Enrolment

### Standards for RTOs Clause 5.1

Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides advice to the prospective learner about the training product appropriate to meeting the learner's needs, taking into account the individual's existing skills and competencies.

### Standards for RTOs Clause 5.2

Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content:

- a) the code, title and currency of the training product to which the learner is to be enrolled, as published on the National Register;
- b) the training and assessment, and related educational and support services the RTO will provide to the learner including the:
  - i) estimated duration;
  - ii) expected locations at which it will be provided;
  - iii) expected modes of delivery;
  - iv) name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on the RTO's behalf; and
  - v) any work placement arrangements.
- c) the RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.
- d) the learner's rights, including:
  - i) details of the RTO's complaints and appeals process required by [Standard 6](#); and
  - ii) if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in;
- e) the learner's obligations:
  - i) in relation to the repayment of any debt to be incurred under the VET FEE-HELP scheme arising from the provision of services;
  - ii) any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product; and
  - iii) any materials and equipment that the learner must provide; and
- f) information on the implications for the learner of government training entitlements and subsidy arrangements in relation to the delivery of the services.

### National Code Standard D2.1

Prior to accepting a student, or an intending student, for enrolment in a course, the registered provider must provide, in print or through referral to an electronic copy, current and accurate information regarding the following:

- the requirements for acceptance into a course, including the minimum level of English language proficiency, educational qualifications or work experience required and whether course credit may be applicable
- the course content and duration, qualification offered if applicable, modes of study and assessment methods
- campus locations and a general description of facilities, equipment, and learning and library resources available to students
- details of any arrangements with another registered provider, person or business to provide the course or part of the course
- indicative course-related fees including advice on the potential for fees to change during the student's course and applicable refund policies
- information about the grounds on which the student's enrolment may be deferred, suspended or cancelled



- a description of the ESOS framework made available electronically by DET, and
- relevant information on living in Australia, including:
- indicative costs of living
- accommodation options, and
- where relevant, schooling obligations and options for school-aged dependants of intending students, including that school fees may be incurred.

#### **National Code Standard D2.2**

The registered provider must have documented procedures in place, and implement these procedures to assess whether the student's qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought.

#### **Findings: Not compliant**

Evidence reviewed in relation to enrolment

- Pre training review
- Student handbook (domestic student handbook)
- International student prospectus

The RTO has not provided evidence to demonstrate that the information given to the learner includes what resources are made available to learners, or what resources must be supplied by the learner.

These practices and behaviours are non-compliant with Clauses 5.1 and 5.2 of the *Standards for Registered Training Organisations (RTOs) 2015*, and Standards D2.1 and D2.2 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*.

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#### *Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 1 – Domestic student handbook
- Attachment 2 – International student prospectus

The evidence provided has addressed the non-compliance.

#### **Standards for RTOs Clause 5.3**

Where the RTO collects fees from the individual learner, either directly or through a third party, the RTO provides or directs the learner to information prior to enrolment or the commencement of training and assessment, whichever comes first, specifying:

- a) all relevant fee information including:
  - i) fees that must be paid to the RTO; and
  - ii) payment terms and conditions including deposits and refunds;
- b) the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies;
- c) the learner's right to obtain a refund for services not provided by the RTO in the event the:
  - i) arrangement is terminated early; or
  - ii) the RTO fails to provide the agreed services.

#### **National Code Standard D3.2**

The registered provider must include in the written agreement the following information, which is to be consistent with the requirements of the ESOS Act, in relation to refunds of course money in the case of student and provider default:

- amounts that may or may not be repaid to the student (including any course money collected by education agents on behalf of the registered provider)
- processes for claiming a refund
- a plain English explanation of what happens in the event of a course not being delivered, and

- a statement that “This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia’s consumer protection laws”.

**Findings: Not compliant**

Evidence reviewed in relation to enrolment

- Student handbook (domestic student handbook)
- International student prospectus
- letter of offer
- <http://www.minttraining.edu.au/resource/fees-charges/>

The RTO did not provide evidence to demonstrate that the learner is informed of all fees payable; including, any uniforms or equipment that needs to be purchased prior to work placement.

These practices and behaviours are non-compliant with Clause 5.3 of the *Standards for Registered Training Organisations (RTOs) 2015*, and Standard D3.2 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*.

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*Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 1 – Domestic student handbook
- Attachment 2 – International student prospectus
- Attachment 3 – Letter of offer

The evidence provided has addressed the non-compliance.

**Standards for RTOs Clause 7.3**

**Where the RTO requires, either directly or through a third party, a prospective or current learner to prepay fees in excess of a total of \$1500 (being the threshold prepaid fee amount), the RTO must meet the requirements set out in the Requirements for Fee Protection in Schedule 6.**

**Findings: Not compliant**

Evidence reviewed in relation to enrolment

- Student handbook
- <http://www.minttraining.edu.au/resource/fees-charges/>

The RTO did not provide evidence to demonstrate that it meets the requirements set out in the Requirements for Fee Protection in Schedule 6. The student handbook states fees will need to be paid in full or (if approved) by instalments.

The RTO stated they have fee protection with ACPET; however, they were unable to provide evidence to substantiate the claim at audit.

These practices and behaviours are non-compliant with Clause 7.3 of the *Standards for Registered Training Organisations (RTOs) 2015*.

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*Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 1 – Domestic student handbook

The evidence provided has addressed the non-compliance.

## Support and Progression

### Standards for RTOs Clause 1.7

The RTO determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.

### National Code Standard D6.2

The registered provider must provide the opportunity for students to participate in services or provide access to services designed to assist students in meeting course requirements and maintaining their attendance.

### National Code Standard D6.3

The registered provider must provide the opportunity for students to access welfare-related support services to assist with issues that may arise during their study, including course progress and attendance requirements and accommodation issues. These services must be provided at no additional cost to the student. If the registered provider refers the student to external support services, the registered provider must not charge for the referral.

### **Findings: Not compliant**

Evidence reviewed in relation to support and progression

- LLN assessment for Cert II and III
- LLN assessment for Cert IV and dip
- Critical incident policy and procedure
- Student orientation handbook
- International student prospectus
- Student support services – policy and procedure

The RTO did not provide evidence to demonstrate that the learner is given the information in regard to any fee charged for internal services or if the student is referred to external support services; what the fee would be to attend this service.

These practices and behaviours are non-compliant with Clause 1.7 of the *Standards for Registered Training Organisations (RTOs) 2015*, and Standard D6.2 and D6.3 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*.

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### *Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 1 – Domestic student handbook
- Attachment 2 – International student prospectus
- Attachment 4 – Student Support Policy

The evidence provided has addressed the non-compliance.

### National Code Standard D6.1

The registered provider must assist students to adjust to study and life in Australia, including through the provision of an age and culturally appropriate orientation programme that includes information about:

- student support services available to students in the transition to life and study in a new environment
- legal services
- emergency and health services
- facilities and resources
- complaints and appeals processes, and

- any student visa condition relating to course progress and/or attendance as appropriate

**Findings: Not compliant**

Evidence reviewed in relation to support and progression

- Student orientation handbook

The RTO did not provide evidence to demonstrate that it has an orientation programme. The orientation handbook does not give any information in regard to visa conditions.

These practices and behaviours are non-compliant with Standard D6.1 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*.

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*Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 5 - Orientation program
- Attachment 6 - Orientation handbook

The evidence provided has addressed the non-compliance.

**Standards for RTOs Clause 6.1**

The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a) the RTO, its trainers, assessors or other staff;
- b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff; or
- c) a learner of the RTO

**Standards for RTOs Clause 6.2**

The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

**Standards for RTOs Clause 6.3**

The RTO's complaints policy and appeals policy:

- a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- b) are publicly available;
- c) set out the procedure for making a complaint or requesting an appeal;
- d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and
- e) provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

**Standards for RTOs Clause 6.5**

The RTO:

- a) securely maintains records of all complaints and appeals and their outcomes; and
- b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

**Findings: Not compliant**

Evidence reviewed in relation to support and progression

- <http://www.mintraining.edu.au/resources/>
- Complaints and appeals policy
- Complaints form

The RTO did not provide evidence to demonstrate that it keeps records of complaints and appeals, including details and reasons for the outcome.

The RTO also did not demonstrate that it identifies potential causes of complaints and appeals or that it takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

The complaints/appeals register was requested at audit; however, it was not provided to the auditor.

These practices and behaviours are non-compliant with Clause 6.5 of the *Standards for Registered Training Organisations (RTOs) 2015*, and Standard D8.1 and D8.5 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*.

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#### *Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 7 – Complaints and Appeals Register

The evidence provided has addressed the non-compliance.

## **Training and Assessment**

### **Standards for RTOs Clause 1.1**

The RTO's training and assessment strategies and practices, including the amount of training they provide, are consistent with the requirements of training packages and VET accredited courses and enable each learner to meet the requirements for each unit of competency or module in which they are enrolled.

### **Standards for RTOs Clause 1.2**

For the purposes of Clause 1.1, the RTO determines the amount of training they provide to each learner with regard to:

- a) the existing skills, knowledge and the experience of the learner;
- b) the mode of delivery; and
- c) where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification.

#### **Findings: Not compliant**

Evidence reviewed in relation to training and assessment.

- Training and assessment strategies for:
  - 22253VIC Certificate III in EAL (Access)
  - CHC33015 Certificate III in Individual Support
  - CHC30113 Certificate III in Early Childhood Education and Care
  - CHC50113 Diploma of Early Childhood Education and Care
  - SIT30616 Certificate III in Hospitality
  - BSB51915 Diploma of Leadership and Management.

The RTO has not demonstrated that it has considered the existing skills, knowledge and the experience of the learner.

For example, but not limited to: the training and assessment strategy for *SIT30616 Certificate III in Hospitality* states the qualification will be completed in 9 months while the target cohort need only be over the age of 18 with no existing skills, knowledge or experience.

The training and assessment strategy for *CHC50113 Diploma of Early Childhood Education and Care* does not state if there is any reduction in the amount of training provided if the learner has completed *CHC30113 Certificate III in Early Childhood Education and Care* which is 11 of the 23 core units of competency.

These practices and behaviours are non-compliant with Clause 1.2 of the *Standards for Registered Training Organisations (RTOs) 2015*.

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*Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 8 – Training and Assessment Strategy for the Certificate III in Hospitality
- Attachment 9 – Training and Assessment Strategy for the Diploma of Early Childhood Education and Care for students who have previously completed the Certificate III in Early Childhood Education and Care

The evidence provided has not addressed the non-compliance.

Specifically:

- The training and assessment strategy submitted for *CHC50113 Diploma of Early Childhood Education and Care* for students who have previously completed *CHC30113 Certificate III in Early Childhood Education and Care* does not list all 11 core units of competency from *CHC30113 Certificate III in Early Childhood Education and Care*.
- It also states that the student will only need to complete 120 hours of work placement while the assessment requirements in the training package for *CHCECE024 Design and implement the curriculum to foster children's learning and development* and *CHCECE017 Foster the holistic development and wellbeing of the child in early childhood* which are two core units for the diploma qualification; states '*performed the activities outlined in the performance criteria of this unit during a period of at least 240 hours of work in at least one regulated education and care service.*

### **Standards for RTOs Clause 1.3**

**The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:**

- a) trainers and assessors to deliver the training and assessment;**
- b) educational and support services to meet the needs of the learner cohort/s undertaking the training and assessment;**
- c) learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and**
- d) facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.**

### **National Code Standard D14.1**

**The registered provider must have and implement policies and procedures to ensure its staffing resources are adequate and have the capabilities as required by the quality assurance framework applying to the course.**

### **National Code Standard D14.2**

**The registered provider must have adequate education resources, including facilities, equipment, learning and library resources and premises as required by the quality assurance framework applying to the course.**

### ***Findings: Not compliant***

Evidence reviewed in relation to training and assessment

- Lease agreement – 99 Queensbridge St – exp: 31/07/2020.
- Enquiry for a booking with Education Institute at 58 Rupert St Collingwood to deliver *CHC33015 Certificate III in Individual Support* and *CHC43015 Certificate IV in Ageing Support*
- Trainer files (Refer Clause 1.13 for trainer details)

The RTO did not provide evidence to demonstrate that it has appropriate 9b, lease or MoU agreements in place with the facilities used by the RTO for training and assessment including work placement.

The RTO has not demonstrated that it has sufficient trainers and assessors to deliver the training and assessment.

These practices and behaviours are non-compliant with Clause 1.3 of the *Standards for Registered Training Organisations (RTOs) 2015*, and Standards D14.1 and D14.2 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2017*.

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*Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 10 - Email from ASQA regarding 9b
- Attachment 11 - Education Institute Hire Agreement
- Attachment 12 - Agreement between Mint Training and Mint Group Staffing
- Attachment 30 - Additional trainer for EAL courses - Seham Shwayli
- Attachment 31- Karen Bailey for Diploma of Hospitality course
- Attachment 32 - Navneet Pathania for Diploma Hospitality course
- Attachment 33 - Additional Trainer and assessor for Cert III in Individual Support and Cert IV in Ageing Support courses Annmaree FitzSimon
- Attachment 34 - Additional trainer and assessor for Cert III and Diploma of Early childhood education and care Tony Naea

The evidence provided has addressed the non-compliance.

#### **Standards for RTOs Clause 1.8**

**The RTO implements an assessment system that ensures that assessment (including recognition of prior learning):**

- a) complies with the assessment requirements of the relevant training package or VET accredited course; and**
- b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.**

#### **Findings: Not compliant**

Evidence reviewed in relation to training and assessment.

#### **22253VIC Certificate III in EAL (Access)**

- **VU21343 Undertake a simple investigation of health and well being**

Task 1 reading and writing – health issues and body systems

Task 2 listening speaking reading and writing – health issue investigations

Task 3 speaking and listening – health and wellbeing presentation

- **VU21470 Investigate issues in the Australian environment**

Task 1 reading and writing – maps and Australian physical features

Task 2 reading and writing – environmental issue report

Task 3 speaking and listening environmental issue talk

#### **CHC33015 Certificate III in Individual Support**

- **CHCDIV002 Promote Aboriginal and/or Torres Strait Islander cultural safety**

Task 1 skills activity

Task 2 knowledge activity

Task 3 performance activity

- **HLTAAP001 Recognise healthy body systems**

Task 1 skills activity

Task 2 knowledge activity

Task 3 performance activity

**CHC30113 Certificate III in Early Childhood Education and Care**

- **CHCDIV002 Promote Aboriginal and/or Torres Strait Islander cultural safety**

Task 1 research project

Task 2 case study

Task 3 project report one

Task 4 project report 2

Task 5 knowledge assessment

Task 6 supervisor report

- **CHCECE005 Provide care for babies and toddlers**

Task 1 research task

Task 2 project

Task 3 knowledge assessment

Task 4 supervisor report

Task 5 observation 1

Task 6 observation 2

Task 7 observation 3

task 8 observation 4

Task 9 observation 5

Task 10 observation 6

**CHC50113 Diploma of Early Childhood Education and Care**

- **CHCECE005 Provide care for babies and toddlers**

Task 1 research task

Task 2 project

Task 3 knowledge assessment

Task 4 supervisor report

Task 5 observation 1

Task 6 observation 2

Task 7 observation 3

Task 8 observation 4

Task 9 observation 5

Task 10 observation 6

- **HLTAID004 Provide an emergency first aid response in an educational and care setting**

Task 1 knowledge questions

Task 2 role plays

Role play 1 Adult resuscitation

Role play 2 applying first aid procedures

Task 3 role play

Role play 1 infant resuscitation

Role play 2 child resuscitation

**SIT30616 Certificate III in Hospitality**

- **SITXCCS006 Provide service to customers**

Task 1 short answer questions

Task 2 problem solving case studies

Task 3 Verbal questions



Task 3 observation

- **BSBSUS201 Participate in environmentally sustainable work priorities**

Task 1 short answer questions

Task 2 quiz/checkpoint answers (problem solving case studies)

Task 3 Verbal questions

Task 4 observation

### **BSB51915 Diploma of Leadership and Management**

- **BSBLDR502 Lead and manage effective workplace relationships**

Task 1 skills activity

Task 2 knowledge activity

Task 3 performance activity

- **BSBMGT502 Manage people performance**

Task 1 skills activity

Task 2 knowledge activity

Task 3 performance activity

The RTO did not provide evidence to demonstrate that its assessment tools meet the Principles of Assessment and Rules of Evidence. For example, but not limited to:

Assessment tools and practice do not ensure that assessment judgements are consistent between different assessors and learners. For example:

The assessment tools and practices do not provide sufficient guidance for assessors regarding the observable behaviours that must be demonstrated by the learner in meeting performance and skills requirements and the performance benchmarks used to judge the quality of practical performance.

As a result of the above, the RTO did not demonstrate it will meet the Principles of Assessment and Rules of Evidence. Further, the RTO has not developed mechanisms (i.e. model answers and a practical assessment checklist) to ensure the performance evidence collected for the practical assessment activities observed are consistently assessed and have similar determinations irrespective of any assessor conducting the assessment.

The examples listed above provide guidance on the areas of non-compliance and are not a full list of each unit of competency requirements that have not been met. The RTO is responsible for providing evidence that demonstrates all units of competency requirements are met.

As the trainers and assessors for *CHC30113 Certificate III in Early Childhood Education and Care* and *CHC50113 Diploma of Early Childhood Education and Care* qualifications did not meet the requirements of Clause 1.13.

The student's assessments that were sampled at audit have not been appropriately assessed.

These practices and behaviours are non-compliant with Clause 1.8 of the *Standards for Registered Training Organisations (RTOs) 2015*.

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#### *Analysis of additional evidence:*

Training products:

- *VU21343 Undertake a simple investigation of health and well being*
- *VU21470 Investigate issues in the Australian environment*
- *CHCDIV002 Promote Aboriginal and/or Torres Strait Islander cultural safety*
- *HLTAAP001 Recognise healthy body systems*
- *CHCECE005 Provide care for babies and toddlers*
- *HLTAID004 Provide an emergency first aid response in an educational and care setting*
- *SITXCCS006 Provide service to customers*

- *BSBSUS201 Participate in environmentally sustainable work priorities*
- *BSBLDR502 Lead and manage effective workplace relationships*
- *BSBMGT502 Manage people performance*

The following additional evidence was provided:

- Attachment 13 - Process to review assessments in CHC30113 and CHC50113
- Attachment 14 - Training and Assessment Strategy for the Diploma of Early Childhood Education and Care
- Attachment 15 – Training and Assessment Strategy for the Certificate III in Early Childhood Education and Care
- Attachments 16 – 26 - Revised assessments for units

The evidence provided has addressed the non-compliance and impact of the non-compliance to students.

#### **Standards for RTOs Clause 1.13**

In addition to the requirements specified in **Clause 1.14** and **Clause 1.15**, the RTO's training and assessment is delivered only by persons who have:

- a) vocational competencies at least to the level being delivered and assessed;
- b) current industry skills directly relevant to the training and assessment being provided; and
- c) current knowledge and skills in vocational training and learning that informs their training and assessment.

Industry experts may also be involved in the assessment judgement, working alongside the trainer and/or assessor to conduct the assessment.

#### **Standards for RTOs Clause 1.14**

The RTO's training and assessment:

- a) if delivered on or prior to 31 March 2019, is delivered only by persons who have the training and assessment credential specified in Item 1 or Item 2 or Item 3 of Schedule 1.
- b) if delivered on or after 1 April 2019, is delivered only by persons who have the training and assessment credential specified in Item 2 or Item 3 of Schedule 1

#### **Standards for RTOs Clause 1.15**

Where a person conducts assessments only, the RTO ensures that:

- a) on or prior to 31 March 2019, the person has the training and assessment credential specified in Item 1, or Item 2, or Item 3, or Item 4, or Item 5 of Schedule 1; or
- b) on or after 1 April 2019, the person has the training and assessment credential specified in Item 2, or Item 3, or Item 5 of Schedule 1.

#### **Standards for RTOs Clause 1.16**

The RTO ensures that all trainers and assessors undertake professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment.

#### ***Findings: Not compliant***

Evidence reviewed in relation to training and assessment.

- Trainer files for the following;
  - Ahmad Al Awady
  - Zahra Al Awady
  - Hassan Al Awady
  - Jeny Yonan
  - Nicola Dench
  - Huyen Li

The RTO did not provide evidence to demonstrate that its training and assessment is conducted by persons who meet the requirements of Clause 1.13 (a), (b) and (c). For example;

Ahmad Al Awady and Zahra Al Awady do not demonstrate that they hold the vocational competence or have current industry skills directly related to the training and assessment they deliver.

These practices and behaviours are non-compliant with Clause 1.13 and 1.16 of the *Standards for Registered Training Organisations (RTOs) 2015*.

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*Analysis of additional evidence:*

The following additional evidence was provided:

- Attachment 14 - Training and Assessment Strategy for the Diploma of Early Childhood Education and Care
- Attachment 15 – Training and Assessment Strategy for the Certificate III in Early Childhood Education and Care
- Attachment 27 - Ahmad Al Awady matrix
- Attachment 28 - Ahmad Al Awady resume
- Statement – ‘Zahra Al Awady has not delivered any training or assessed any learners in [sic], and she will not conduct any training or assessment’.

The evidence provided has addressed the non-compliance.

## Completion

### Standards for RTOs Clause 3.1

**The RTO issues AQF certification documentation only to a learner whom it has assessed as meeting the requirements of the training product as specified in the relevant training package or VET accredited course.**

#### **Findings: Not compliant**

Evidence reviewed in relation to completion.

- Refer Clause 1.8

The RTO did not provide evidence to demonstrate that it issues AQF certification documentation only to a learner whom it has assessed as meeting the requirements of the training product. The students have not been appropriately assessed and should not have been issued any statements of attainment or qualification certification.

These practices and behaviours are non-compliant with Clause 3.1 of the *Standards for Registered Training Organisations (RTOs) 2015*.

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*Analysis of additional evidence:*

The following additional evidence was provided:

- Refer Clause 1.8

The evidence provided has addressed the non-compliance and impact of the non-compliance to students.

## Regulatory Compliance / Governance

### Standards for RTOs Clause 2.3

**The RTO ensures that where services are provided on its behalf by a third party the provision of those services is the subject of a written agreement.**

#### **Standards for RTOs Clause 2.4**

**The RTO has sufficient strategies and resources to systematically monitor any services delivered on its behalf, and uses these to ensure that the services delivered comply with these Standards at all times.**

#### **National Code Standard D4.1**

**The registered provider must enter into a written agreement with each education agent it engages to formally represent it. The agreement must specify the responsibilities of the education agent and the registered provider and the need to comply with the requirements in the National Code. The agreement must also include:**

- **processes for monitoring the activities of the education agent, including where corrective action may be required, and**
- **termination conditions, including providing for termination in the circumstances outlined in Standard 4.4.**

#### ***Findings: Not compliant***

Evidence reviewed in relation to Regulatory Compliance / Governance

- asqanet PP-ThirdParties V2 report

The RTO had 13 third party arrangements in place which were used to recruit prospective learners, enrol learners (incl. fee receipting) and for the delivery of training and/or assessment.

The RTO manager stated these third party arrangements were left over from the previous owner, the RTO were not aware of this and subsequently submitted an application to ASQA for the removal of all third party arrangements

ASQA has been informed that all written agreements have been cancelled.

This was rectified at audit.

The organisation is compliant with this Clause.

#### **Standards for RTOs Clause 8.2**

**The RTO ensures that any third party delivering services on its behalf is required under written agreement to cooperate with the VET Regulator:**

- a) by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services; and**
- b) in the conduct of audits and the monitoring of its operations.**

#### ***Findings: Not compliant***

Refer to Clause 2.3 and 2.4 and Standard D4.1.

This was rectified at audit.

The organisation is compliant with this Clause.