Guidelines and Criteria for Registration with the Adult, Community and Further Education Board

June 2019

**CONTENTS**

Introduction 3

ACFE’s Mission 3

Registration process 3

Further information 5

Undertaking registration 6

Eligibility 6

Evidence 6

The registration criteria 7

Category A 7

Category B 8

Category C 10

Category D 9

Alternative Governance arrangements or auspiced organisations 10

Ineligible organisations 10

The registration process 13

Registration Process………………………………………………………………………………………………………………...11

Registration Outcomes……………………………………………………………………………………………………………...11

Approved Registrations……………………………………………………………………………………………………………..11

Additional Information…………………………………………………………………………….……………………………12

Regional office contacts 14

Refusal of a registration application 15

Suspension or cancellation of registration 15

Dispute resolution 15

ACFE BOARD REGISTRATION APPLICATION PACK 16

Section A 16

Section B 16

Section C 16

Section D: Organisational Self-assessment 17

Section E: Checklist of Evidence 19

Section F: Statutory Declaration 20

Introduction

The Victorian Government invests in community based adult education through Learn Local training providers (Learn Local providers). Learn Local providers form part of a modern, high quality vocational education system that gives all Victorians the opportunity to gain the skills they need.

Learn Local providers are valuable community assets, improving the lives and prospects of many Victorians, and play a positive role in strengthening local economies and communities.

The Adult, Community and Further Education (ACFE) Board oversees the Victorian Government’s relationships with Learn Local providers, including:

* mobilising resources to ensure access to high quality Learn Local programs
* supporting pathways to further education or employment for learners
* establishing high visibility and the reputation of pre-accredited training
* strengthening the capacity of providers.

ACFE’s Mission

The delivery of high quality and accessible adult, community and further education has an important role to play in shaping the future prosperity of Victorians by improving transitions to further education and employment. This is reflected in the ACFE Strategic Plan 2016-19, which reiterates and advances the ACFE Board’s mission *to increase the educational participation and attainment of adults, improve social cohesion and boost the human and social capital of Victoria.*

The Learn Local sector is an important part of the Victorian education and training landscape and is characterised by a commitment to addressing disadvantage, meeting local community need and supporting community development.

As described in the ACFE Pre-accredited Quality Framework, 2016, pre-accredited training is designed to improve outcomes for students who wish to improve the skills needed to secure employment, access further study, and to build their capacity to engage and remain a part of a complex and fast changing society.

The funding of pre-accredited training programs is targeted to ensure that it is impactful and responsive to learners’ needs and local pathways. The process of registration of providers is an important way of identifying eligible organisations to deliver those pre-accredited training programs.

Registration process

To assist in achieving this mission and vision, and successfully oversee the adult, community and further education sector, the ACFE Board enters into formal relationships with organisations that:

* are able to demonstrate that adult education and vocational learning is a key focus of their business
* are community owned and managed and operate on a not-for-profit basis
* are able to deliver and govern programs that meet the Board’s quality standards.

The registration process is designed to help the ACFE Board ensure that the most suitable organisations gain the privilege of becoming Learn Local providers and thus eligible for Victorian Government funding administered by the ACFE Board.

Department of Education and Training (DET) staff manage the registration process on behalf of the ACFE Board. DET representatives consider the evidence provided by the applying organisation, and the views of the relevant ACFE Regional Council, when advising the ACFE Board on each organisation’s eligibility for registration. Registered organisations are listed on the ACFE Board’s state-wide register and are registered for up to five years.

Registration with the ACFE Board does not guarantee funding. The ACFE Board sets priorities for the adult vocational learning programs and related projects it wishes to support. These priorities are articulated in the Board’s Strategic Plan and annual priorities documents. Funding to support these priorities is determined annually.

Registration with the ACFE Board carries a number of benefits, such as:

* access to a range of grant and service delivery funding programs
* the right to use the Learn Local brand to support marketing and promotion of funded Learn Local programs
* access to professional development and networks across the state
* reduced cost access to some business related software.

In becoming a registered organisation, the governing board of a Learn Local provider assumes the following responsibilities (consistent with section 3.3.30 of the *Education and Training Reform Act 2006*):

* overseeing the organisation and ensuring the organisation is managed efficiently and effectively
* approving periodic management plans for the organisation consistent with the plans and policies of the ACFE Board
* providing the community served by the organisation with efficient and effective adult, community and further education and other associated programs and services responsive to the needs of that community
* consulting with the relevant ACFE Regional Councils about the provision of these programs and services
* undertaking the development and provision of adult, community, further education, vocational education and training, employment and other associated programs and services considered necessary for the objects of the adult education organisation.

Further information

This document outlines the basic information that organisations will need to gather, complete and provide so they can be considered for registration. It also describes the registration process.

If further information is required, you should contact the DET Manager, Regional Engagement Unit for your region. Contact details are in the ‘Additional information’ section of this document.

Undertaking Registration

Eligibility

The following information will assist you to determine if your organisation is eligible for registration with the ACFE Board. To be eligible, your organisation must meet the following requirements:

* Category A: Comply with all criteria in this category (receive a score of 4)
* Category B: Achieve a score of at least 4 for this category (note that these criteria are weighted)
* Category C: Be prepared to declare initial and ongoing compliance with this criteria (receive a score of 1)
* Category D: Satisfactorily comply with the mandatory financial viability requirements
* Referees: Provide contact details for three professional referees your organisation for the Department to contact as part of the application process. The ACFE Board reserves the right to draw on additional referees if deemed necessary.

Your organisation must achieve a score above 10 which includes meeting the mandatory financial viability requirements of Category D to be deemed eligible for registration. New Registrations will be eligible for a maximum 3yr registration. In applying for registration, your organisation is agreeing in principle to attend any mandatory ACFE training or information sessions.

EVIDENCE

The table below outlines the evidence required from your organisation to support an application. When assembling your evidence, clearly mark the documents with the relevant Criteria number. If you are an RTO with a current Skills First Contract or Neighbourhood House funded through the Department of Health and Human Services’ (DHHS) Neighbourhood House Co-ordination Program, you are not required to provide evidence to meet all criteria because you have already provided it to DET or DHHS. Should you not be required to provide evidence for a particular criteria, your organisation will be granted the highest possible score (the detailed scoring approach is outlined below).

| Criteria # | Funded RTO | Neighbourhood House | Other organisation |
| --- | --- | --- | --- |
| CATEGORY A |  |  |  |
| 1. The organisation is a legally registered business | - | - | ✓ |
| 2. The organisation’s principal place of operation is Victoria[[1]](#footnote-2) | ✓ | - | ✓ |
| 3. The organisation is a not-for-profit entity | ✓ | - | ✓ |
| 4. The organisation can operate online | ✓ | ✓ | ✓ |
| CATEGORY B |  |  |  |
| 5. The organisation has a demonstrated commitment to education | - | ✓ | ✓ |
| 6. The organisation has a demonstrated commitment to providing community oriented services | ✓ | - | ✓ |
| 7. The organisation has a demonstrated business history with a record of compliance | ✓ | ✓ | ✓ |
| 8. The organisation can demonstrate a strong understanding of quality education provision | ✓ | ✓ | ✓ |
| CATEGORY C |  |  |  |
| 9. The organisation agrees to comply with the Public Sector Values outlined in the Public Administration Act 20 | ✓ | ✓ | ✓ |
| CATEGORY D |  |  |  |
| 10.The organisation demonstrates it is financially viability. | ✓ | ✓ | ✓ |

The Registration Criteria

CATEGORY A

| CRITERIA |  | ASSESSMENT  (DET use only) | |
| --- | --- | --- | --- |
| Criteria 1 | The organisation is a legally registered business.  Provide evidence the organisation has a current Australian Business Number (ABN) and is registered with the Australian Taxation Office for the Goods and Services Tax (GST).  Provide evidence that the organisation operates within a formal legal structure (e.g. Incorporated Association, co-operative, company limited by guarantee).  Note: Please note that operating under an auspicing arrangement does not preclude registration. See the *Alternative Governance arrangements – auspiced organisations* section in these guidelines for further information. | Comply  Score: 1 | Not comply  Score: 0 |
| Criteria 2 | The organisation’s principal place of operation is Victoria  Provide evidence that the organisation’s principal place of operation is Victoria or evidence of strong operations in the local community or a priority cohort as identified by the ACFE Board.  Note: In exceptional cases, organisations with a principal place of operation outside Victoria will be considered if they can demonstrate that they are uniquely able to meet the needs of a priority cohort identified by the ACFE Board. | Comply  Score: 1 | Not comply  Score: 0 |
| Criteria 3 | The organisation is a community owned and managed not-for-profit entity.  The governing body draws the majority of its members from the community where it operates or the community of interest it serves.  Provide the organisation’s rules, identifying the relevant sections that prevent assets or profits being distributed to individual members, both while the organisation is operating and if it ceases to operate and is wound up. | Comply  Score: 1 | Not comply  Score: 0 |
| Criteria 4 | The organisation can operate online.  Advise that the organisation is able to operate in an e-business environment, including receiving and providing information through internet-based channels and utilising electronic funds transfer. | Comply  Score: 1 | Not comply  Score: 0 |
| Total rating: Category A  The organisation must score a total of 4 on Category A to be considered for registration | |  | |

CATEGORY B

| CRITERIA |  | ASSESSMENT  (DET Use only) | | |
| --- | --- | --- | --- | --- |
| Criteria 5 | Education as a primary/key function  The organisation has a demonstrated commitment to education.  Evidence will include:  the constitution, articles of association or other documents that describe the organisation’s purposes and goals in which education is identified  your business and strategic plans identify that you plan to deliver adult, community and further education to meet the needs of the local community or a community of interest.  a statement that outlines the process your organisation uses to identify and engage learners; develop programs for priority learner groups. | No evidence provided | Limited evidence provided | Strong evidence provided |
| Score: 0 | Score: 1 | Score: 2 |
| Criteria 6 | Community oriented and committed to community development  The organisation has a demonstrated commitment to providing community oriented services.  Evidence will include:  strategies in place to ensure these services will be accessible to the general community.  strategies in place to engage with and respond to the community or ACFE Board priority cohorts.  an overview of how the organisation demonstrates its commitment to community development and plans to strengthen/advance local community development. | No evidence provided | Limited evidence provided | Strong evidence provided |
| Score: 0 | Score: 1 | Score: 2 |
| Criteria 7 | Business and governance  The organisation has a demonstrated business history with a record of compliance.  Evidence will include:  policies, operational guidelines and procedures that allow the organisation to meet the legal obligation imposed by its structure, other legal obligations (e.g. to employees, taxation, insurance etc.) and to provide services.  evidence that the organisation meets its legal obligations.  policies and procedures in place in relation to financial management, fraud prevention and risk management.  details of any previous or current adverse compliance or government contractual, funding or grant actions to which you are subject.  Note: A regulatory infraction or similar adverse finding are not of themselves grounds for refusing registration but non-disclosure is. | No evidence provided | Limited evidence provided | Strong evidence provided |
|  | Score: 0 | Score: 1 | Score: 2 |
| Criteria 8 | Quality provision  The organisation can demonstrate a strong understanding of quality education provision.  Evidence will include:  a list of education services your organisation intends to deliver over the next 12 months.  a description of how the organisation designs programs for disadvantaged learners identified as ACFE priority cohorts and/or provides education programs with clearly identified learning outcomes which provide pathways to further study or vocational outcomes.  details of those responsible (Board and Management) for ensuring the delivery of quality educational programs which conform with ACFE policies and guidelines.  A statement outlining any policies, systems and processes that you have in place to support the delivery of quality pre-accredited programs. | No evidence provided | Limited evidence provided | Strong evidence provided |
| Score: 0 | Score: 1 | Score: 2 |
| Total rating: Category B  Organisations must score a total of 4 for Criteria B to be considered for registration. If an organisation scores 0 on any criteria the organisation cannot be considered for registration. | |  | | |

CATEGORY C

| CRITERIA |  | ASSESSMENT  (DET use only) | |
| --- | --- | --- | --- |
| Criteria 9 | Public Sector Values  The organisation agrees to comply with the Public Sector Values - *Responsiveness, Integrity, Impartiality, Accountability, Respect, Leadership, Human Rights* as outlined in the Public Administration Act 2004.  Self-declaration of initial and ongoing compliance with the Public Sector Values outlined in section 7 of the Public Administration Act 2004.(tick box in Section D)  Details of the values can be found at <https://vpsc.vic.gov.au/ethics-behaviours-culture/public-sector-values/>  The ACFE Board reserves the right to request evidence regarding your organisation’s compliance with this Criteria at any stage throughout your registration period. | Comply  Score: 1 | Not comply  Score: 0 |
| Total rating: Category C  Organisations must score a total of 1 on Category C to be considered for registration. If an organisation scores 0 on this criteria, the organisation cannot be considered for registration. | |  | |

CATEGORY D

| CRITERIA |  | ASSESSMENT  (DET use only) | |
| --- | --- | --- | --- |
| Criteria 10 | Financial Viability  The organisation demonstrates it is financially viable by:  providing a satisfactory Business and Governance Status (BGS) assessment of the organisations financials completed by an independent accountant accompanied by the organisations last 3 Annual Reports which include the financial statements. | Comply  Score: 1 | Not comply  Score: 0 |
| Total rating: Category D  Organisations must score a total of 1 on Category D to be considered for registration. If an organisation scores 0 on this criteria, the organisation cannot be considered for registration. | |  | | |
| TOTAL RATING: Category A, B, C and D | |  | | |

AlTernative Governance arrangements - auspiced organisations

Organisations can have governance arrangements other than an incorporated committee of management, including being under the auspice of another legally constituted body that is an incorporated, not-for-profit, non-government organisation or local government authority (auspice organisation)

This can occur because it is not viable for an incorporated locally based committee of management to be formed or when an existing committee of management dissolves or the organisation ceases to be incorporated.

It is essential that alternative governance arrangements facilitate and support strong community development practice. Where organisations are governed by an auspice arrangement, the auspicing body is required to support the involvement of the local community in activity and resource planning to meet the needs of the community.

If registered with the ACFE Board the auspice organisation:

* takes on the legal and financial responsibility of the Learn Local provider
* supports the program aims of the Learn Local program
* supports and recognises a Learn Local community based committee or reference group, ensuring that:
  + a community-based committee or reference group, independent of the auspice organisation, is responsible for overseeing the Learn Local provider and it’s functions
  + the Learn Local provider maintains its integrity, identity and autonomy separate from the auspice organisation
  + professional support and training is available for the staff of the Learn Local provider
  + mechanisms and procedures are in place that allow the dissolution of the arrangement by either party

The auspice organisation must provide DET with a copy of the memorandum of understanding (MoU) or deed of delegation between the auspice organisation and the Learn Local provider that:

* demonstrates that the community-based committee of management or advisory group of the organisation is responsible for overseeing the day to day business and functions of the organisation including meeting the requirements of registration with the ACFE Board
* specifies responsibility for managing programs and services and acquitting funds and deliverables
* acknowledges the auspice organisation’s legal and financial responsibility (including employer responsibilities) for the Learn Local organisation
* specifies the roles and responsibilities of the auspice organisation and Learn Local provider, including:
* timely reporting against contracted outcomes
* lines of reporting between the auspice organisation and Learn Local provider
* guarantees transparency of funding, including that any funds received as a Learn Local provider are able to be discretely identified, accounted and reported as prescribed in the service agreement.

Service agreements for Learn Local providers that operate under an auspice arrangement will be made between DET and the auspice organisation in accordance with the service agreement terms and conditions.

A change to the organisation’s governance structure that involves auspice arrangements will require approval by DET. It is preferred that this be an interim or short-term arrangement. In exceptional circumstances, it may be an ongoing one.

Please contact the DET Manager, Training Participation Regional Support Unit for your region for guidance on suitable information. Contact details are in the ‘Additional information’ section of this document.

Ineligible organisations

The following organisation types cannot be registered with the ACFE Board:

* an unincorporated body
* a commercial or for-profit organisation
* a TAFE Institute
* a University
* an Adult Education Institution as defined in the *Education and Training Reform Act 2006*
* state or federal government departments or agencies
* industry associations
* Universities of the Third Age.

In restricting registration to not for profit community organisations, the ACFE Board is seeking to maintain its focus on providing pre-accredited education which creates further study or vocational pathways for disadvantaged learners.

The Registration Process

There are eight steps in the process, six of which directly involve the applicant. These are described below.

1. **The decision to apply** for registration is madeby your governance body (Committee or Board of Management).
2. **Attend a meeting** with the DET Manager, Regional Engagement Unit for your region. Contact details are available in the ‘Additional information’ section of this document.
3. **Review the** **Organisational Self-assessment** (see Section D of the ACFE Board Registration Application Pack) to check that your organisation is likely to meet the registration criteria.
4. **Identify the evidence** you need to supply to demonstrate that your organisation meets the registration criteria (see Section E of the ACFE Board Registration Application Pack).
5. **Complete the ACFE Board Registration Application Pack** including the Organisational Self-assessment and Statutory Declaration, attach any required documents and mail your application, marked for the attention of the relevant DET Regional Office.
6. DET staff will **assess** your application to ensure that all the required documents are included and provide you with a ranking. Departmental staff will contact you if there are any items missing.
7. The ACFE Board will **consider** your application and **make a decision** regarding whether your organisation will be approved for registration and the length of the registration period.
8. You will be **notified of the outcome** following a decision by the ACFE Board, and if your application is successful, a Registration Certificate will be forwarded to you.

Note: The registration process will be managed by the DET Manager, Regional Engagement for the region in which you are located, Note that registered providers are able to apply to deliver ACFE Board funded programs throughout Victoria.

Registration process

**2. Your organisation participates in a meeting with Departmental staff**

1. **Your governance body decides to apply for registration with the ACFE Board**

**3. You review the Organisational Self-assessment to check likelihood you will meet eligibility criteria**

**8. You will be notified of the decision**

**7. Your application will be considered by the ACFE Board**

**4. You identify the evidence you need to supply to demonstrate that you meet the registration criteria**

**5. You complete the ACFE Board Registration Application Pack and attach required information**

**6. Departmental staff will assess your application to ensure that all required documents are included**

registration outcomes

Applications for registration will receive formal notice of the ACFE Board’s decision.

* If the application is approved, you will receive formal advice from the Department that your registration has been accepted.
* If the application is rejected or not endorsed, the Department will provide a response in writing outlining the reasons.

Approved registrations

Applicants approved for registration with the ACFE Board will be sent the following documents for completion:

| * Recipient Created Tax Invoice Agreement | * Vendor Creation Form |
| --- | --- |
| * eBusiness Access Agreement |  |

Registered organisations will receive a Certificate of Registration signed by the Chair of the ACFE Board

Additional Information

REGIONAL OFFICE CONTACTS

In all cases, the appropriate contact is the DET Manager, Regional Engagement Unit for your region

Applications should be mailed for the attention of the relevant regional manager in the Regional Engagement Unit.

* **North Eastern Victoria Region**, DET (Eastern Metropolitan and Hume Regional Councils)
* Manager: Julie Hebert, 2nd Floor, 295 Springvale Road, Glen Waverley; MELBOURNE VIC 3150
* **North Western Victoria Region**, DET (North Western Metropolitan and Loddon Mallee Regional Councils)
* Manager: Kaye Callaghan, 7-15 McLaren Street, Bendigo VIC 3550
* **South Eastern Victoria Region**, DET (Southern Metropolitan and Gippsland Regional Councils)
* Manager: Robyn Downie, PO Box 5, DANDENONG VIC 3175
* **South Western Victoria Region**, DET (Barwon South Western and Grampians Regional Councils)
* Manager: Georgina Ryder, 75 High St. Belmont 3216

REFUSAL OF A REGISTRATION APPLICATION

If DET determines that an applicant organisation has not met one or more of the registration criteria, it will not progress the registration application. DET will alert the applicant organisation and provide them with the opportunity to provide the evidence. If the evidence provided is not acceptable, once notified of the decision and the relevant reasons, the applicant organisation is entitled to ask the ACFE Board to reconsider the decision.

Requests for reconsideration will be considered by the ACFE Board and should be lodged by email: [acfe@edumail.vic.gov.au](mailto:acfe@edumail.vic.gov.au) A request should outline the grounds on which the request is being made and supply any additional evidence to support the request for reconsideration. .

SUSPENSION OR CANCELLATION OF REGISTRATION

The DET Executive Director, Engagement Participation & Inclusion Division has the authority to **suspend** an organisation’s registration. Suspension may occur if:

* the organisation has notified DET that it no longer meets the criteria for being registered

the organisation has been found by DET to have breached or be non-compliant with one or more of the registration criteria.[[2]](#footnote-3)

The Executive Director will notify the ACFE Board and the organisation of the decision to suspend the registration and of the date from which the suspension takes effect.

Registration can only be cancelled by a decision of the ACFE Board. Cancellation may occur if:

* the organisation has notified DET in writing that it no longer meets the criteria for being registered
* the organisation has been found to have breached or be non-compliant with one or more of the registration criteria.

dispute resolution

Any dispute or difference arising from the registration process will be resolved as follows:

* An initial, informal discussion between the parties will be arranged to clarify the scope of the dispute and, if possible, to resolve it. The discussion must be documented.
* If discussion fails to resolve the issue, the aggrieved party will outline their concerns in writing to the other party and request a formal meeting. The meeting discussion must be documented
* Should a resolution still not be reached the dispute will be referred to the Executive Director, TAFE and Participation Division who will establish a grievance committee to meet formally with the organisation’s governance group to attempt a resolution. The Executive Director, Engagement Participation & Inclusion Division will notify the ACFE Board (Audit and Risk Committee) of any dispute.

ACFE BOARD REGISTRATION APPLICATION PACK

To apply for registration with the ACFE Board, please complete and forward **the ACFE Board Registration Application Pack** including the Organisational Self-assessment and Statutory Declaration, with attach documents (clearly marked with the responding Criteria number) mail (see page 12) for attention of the relevant DET Regional Office.

Section A

All applicants to complete this section

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Organisation name: |  | | | |
|  |  | |  | |
| Street address: |  | | | |
|  |  | |  | |
| Mailing address: |  | | | |
|  |  | |  | |
| Email address: |  | | | |
|  |  |  | |  |
| ACFE region of registration: |  | TOID: | |  |

|  |  |  |
| --- | --- | --- |
| ABN: |  | |
|  |  |  |
| Organisation contact for registration: |  | |
|  |  |  |
| Website: |  | |

|  |  |
| --- | --- |
| Facebook page: |  |

Section B

***Complete this section only if you are a funded Registered Training Organisation (RTO)***

|  |  |  |  |
| --- | --- | --- | --- |
| Registering authority (circle): | VRQA ASQA | | |
|  |  | |  |
| TOID |  | | |
|  |  | |  |
| Registration expiry date |  | | |
|  |  | |  |
| Current Skills First contract (circle)? | | YES NO | |

Section C

***Complete this section only if you are funded through the Neighbourhood House Co-ordination Program***

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Registration details |  | |
|  |  |  |
| Funding expiry date |  | |
|  |  |  |

SECTION D: Organisational Self-assessment

All applicants are required to complete the Organisational Self-assessment. Please tick the boxes below to indicate that your organisation meets the registration eligibility criteria described.

If your organisation meets all of the below eligibility criteria then proceed to Section E and identify the evidence you will need to provide to demonstrate your eligibility.

| ***Criteria 1 -* Registered business** | **Tick box** | ***Criteria 2 -* Victorian business** | **Tick box** |
| --- | --- | --- | --- |
| Our organisation is a legally registered business.  Note: exemptions may apply to  Note: Auspice arrangements do not preclude registration. See the *Alternative Governance arrangements – auspiced organisations* section in the guidelines for further information. | 🞏 | Our organisation is a formal legal entity for which Victoria is a place / principal place of operation.  *Our operational and strategic plans identify Victoria as a place of business. We have evidence of incorporation and GST registration.*  Note: In exceptional cases, organisations with a principal place of operation outside Victoria will be considered if they can demonstrate that they are uniquely able to meet the needs of a priority cohort identified by the ACFE Board. | 🞏 |
| ***Criteria 3 -* Not for profit** | **Tick box** | ***Criteria 4 -* Online capability** | **Tick box** |
| The organisation is a community owned and managed not-for-profit entity.  The governing body draws the majority of its members from the community where it operates or the community of interest it serves  Our organisation’s rules prevent assets or profits being distributed to individual members.  *While the organisation is operating or if it ceases to operate and is wound up, the profits and assets are only able to be used to advance the purposes of the organisation* | 🞏 | Our organisation can operate in an e-business environment. | 🞏 |
| ***Criteria 5 -* Education** | **Tick box** | ***Criteria 6 -* Community** | **Tick box** |
| Our organisation can provide adult education programs that meet ACFE Board requirements.  *We can demonstrate an understanding of the requirements set out in the Education and Training Reform Act 2006 and current Victorian Government priorities.* | 🞏 | Our organisation has a governing body that draws the majority of its members from the community or community of interest that it serves.  *We have a governance body that is accountable and responsive to the community and includes representation from the community. The members have a range of expertise and skills appropriate to the management of the organisation and reflect the composition of the community.* | 🞏 |
| Our organisation has adult community education goals that are integral to our wider objectives. |  | Our organisation partners effectively with other organisations.  *We have established networks and partnerships across the community, community of interest and Government, or have potential to establish them.* |  |
| Our organisation identifies education as a key function. | 🞏 | Our organisation provides programs that are open to the general community.  *We offer a range of programs and services that reflect the diversity of the community.* | 🞏 |
| ***Criteria 7* - Business operations** | **Tick box** | ***Criteria 8 -* Quality education provision** | **Tick box** |
| Our organisation is governed by appropriate policies, operational guidelines and quality procedures that allow it to meet business, community and legal obligations.  *We have evidence of compliance with legal requirements relating to incorporation, taxation, superannuation, Workcover etc. Our governance roles, responsibilities and practices are documented.* | 🞏 | Our organisation can deliver quality adult education programs and services to meet the learning needs of the local community. | 🞏 |
| ***Criteria 9* - Values** | **Tick box** | **Criteria 10 - Financial Viability** | **Tick box** |
| Our organisation agrees to comply with the Public Sector Values outlined in the Public Administration Act 2004 (<https://vpsc.vic.gov.au/ethics-behaviours-culture/public-sector-values/>) | 🞏 | Our organisation has satisfactorily completed the ACFE Board Business and Governance Status (BGS) assessment and submitted it with our organisation’s last 3 Annual Reports that include our organisation’s audited financial statements. | 🞏 |

Section E: Checklist of Evidence

Organisation type (Tick box): Funded RTO Neighbourhood House Other

Please tick the boxes below to indicate documentation that is attached. If you are a funded RTO or Neighbourhood House you are only required to complete parts of this section (see ‘Undertaking registration’ section of the guidelines).

| **CRITERIA** | **Evidence provided (Tick box)** |
| --- | --- |
| **CATEGORY A *(*\**Mandatory evidence to be eligible for registration)*** | |
| **CRITERIA 1: The organisation is a legally registered business - *Not applicable to funded RTOs and Neighbourhood Houses*** | |
| A copy of your Australian Business Number notification from the Australian Taxation Office | 🞏 |
| A copy of your registration for the Goods and Services Tax (GST) | 🞏 |
| A copy of your incorporation documents | 🞏 |
| A copy of the most recent payment receipt from Consumer Affairs Victoria (or relevant corporate regulator) | 🞏 |
| *For organisations acting under the sponsorship of another legally constituted body:*  An MOU or Deed of Delegation signed by both parties specifying:  the Learn Local provider is responsible for overseeing the day to day business and functions of its operations including meeting the requirements of registration with the ACFE Board  responsibility for managing programs and services and acquitting funds and deliverables  the auspice organisation’s legal and financial responsibility (including employer responsibilities) for the Learn Local organisation  the roles and responsibilities of the auspice organisation and Learn Local provider, including:  – timely reporting against contracted outcomes  – lines of reporting between the auspice organisation and Learn Local provider   * arrangements for determining local adult, community and further education needs * the lines of communication between the sponsored body and the ACFE Board * that funds received through the ACFE Board are able to be discretely identified, accounted for and reported. | 🞏 |
| **CRITERIA 2: The organisation’s principal place of operation is Victoria - *Not applicable to Neighbourhood Houses*** | |
| Evidence that the organisation’s principal place of operation is Victoria | 🞏 |
| Exemption requested, as principal place of operation is outside Victoria however evidence provided that demonstrates unique ability to meet the needs of a priority cohort identified by the ACFE Board | 🞏 |
| **CRITERIA 3: The organisation is a not-for-profit entity - *Not applicable to Neighbourhood Houses*** | |
| Evidence the governing body draws the majority of its members from the community where it operates or the community of interest it serves | 🞏 |
| Evidence that rules prevent assets or profits being distributed to individual members both while the organisation is operating and if it ceases to operate and is wound up | 🞏 |
| **CRITERIA 4: The organisation can operate online - *Applicable to ALL applicants.*** | |
| Evidence that the organisation is able to operate in an e-business environment, including receiving and providing information through internet-based channels and utilising electronic funds transfer | 🞏 |
| **CATEGORY B *(No mandatory evidence requirements, however the more evidence you provide the more likely you are to score highly)*** | |
| **CRITERIA 5: The organisation has a demonstrated commitment to education. - *Not applicable to funded RTOs*** | |
| Evidence that education is a key function of the organisation and mentioned in its constitution, articles of association or other documents that describe the organisation’s purposes and goals in which education is identified. | 🞏 |
| Evidence that demonstrates your business and strategic plans identify that you plan to deliver adult, community and further education to meet the needs of the local community or community of interest. | 🞏 |
| Provide a statement that outlines the process your organisation uses to:   * Identify and engage learners * Develop programs for priority learner groups | 🞏 |
| **CRITERIA 6: The organisation has a demonstrated commitment to providing community oriented services.**  ***Not applicable to Neighbourhood Houses*** | |
| Evidence of strategies in place to ensure these services will be accessible to the general community. | 🞏 |
| Evidence of strategies in place to engage with and respond to the community or ACFE Board priority cohorts. | 🞏 |
| Evidence of how the organisation demonstrates its commitment to community development and plans to strengthen/advance local community development. | 🞏 |
| **CRITERIA 7: The organisation has a demonstrated business history with a record of compliance.** | |
| The last 3 years Annual Reports and audited financial statements (*mandatory only for initial registration*) | 🞏 |
| Evidence of policies, operational guidelines and procedures that allow the organisation to meet the legal obligation imposed by its structure, other legal obligations (e.g. to employees, taxation, insurance etc.) and to provide services (list of current policies). | 🞏 |
| Evidence of policies and procedures in place in relation to financial management, fraud prevention and risk management. | 🞏 |
| If relevant, details of any previous or current adverse compliance or government contractual, funding or grant actions to which you are subject. *Note: A regulatory infraction or similar adverse finding are not of themselves grounds for refusing registration but non-disclosure is.* | 🞏 |
| **CRITERIA 8: The organisation can demonstrate a strong understanding of quality education provision. *Applicable to ALL applicants*** | |
| A list of education services your organisation intends to deliver over the next 12 months. | 🞏 |
| A description of how the organisation designs programs for disadvantaged learners identified as ACFE priority cohort and/or provides education programs with clearly identified learning outcomes which provide pathways to further study or vocational outcomes. | 🞏 |
| Details of those responsible (Board and Management) for ensuring the delivery of quality educational programs which conform with ACFE policies and guidelines. | 🞏 |
| Provide a statement outlining any policies, systems and processes that you have in place to support the delivery of quality pre-accredited programs. | 🞏 |
| **CATEGORY C** | |
| **CRITERIA 9: The organisation agrees to comply with the Public Sector Values outlined in the Public Administration Act 2004. - *Applicable to ALL applicants*** | |
| Completed ‘Values’ section of the Organisational Self-Assessment that asks organisations to self-declare that they comply with the Public Sector Values - Responsiveness, Integrity, Impartiality, Accountability, Respect, Leadership, Human Rights, as outlined in the Public Administration Act 2004 (<https://vpsc.vic.gov.au/ethics-behaviours-culture/public-sector-values/>). | 🞏 |
| **CATEGORY D *(*\**Mandatory evidence to be eligible for registration)*** | |
| **CRITERIA 10: The organisation demonstrates it is financially viability.** | |
| Provides last 3ys Annual Reports including audited financial statements. | 🞏 |
| Provides a satisfactory Business and Governance Status (BGS) assessment of the organisations financials completed by an independent accountant. <https://www.education.vic.gov.au/training/providers/learnlocal/Pages/network.aspx> | 🞏 |
| **Other - *Applicable to ALL applicants.*** | |
| Signed and witnessed statutory declaration attesting that the Organisational Self-assessment is true and correct. | 🞏 |
| Completed checklist of evidence supporting the Organisational Self-assessment. | 🞏 |

**Referees**: Please proved contact details for three professional referees your organisation is happy for the Department to contact as part of the application process.

| **Referee 1** | **Referee 2** | **Referee 3** |
| --- | --- | --- |
|  |  |  |

Section F: Statutory Declaration

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| I, |  | | the Chairperson of the Committee/Board | |
| of Management of | |  | |

(the organisation) in the State of Victoria, do solemnly and sincerely declare that:

1. I am authorised to make this Statutory Declaration on behalf of the organisation, which is seeking registration with the Adult, Community and Further Education Board (ACFE);
2. the information provided in this application is true and correct;
3. the organisation undertakes to comply with the conditions of registration;
4. the organisation undertakes to allow the ACFE Board and the Department of Education and Training (DET) or its agents access to records and documents, delivery locations and staff for the purpose of verifying compliance with the conditions of registration;
5. the organisation understands that failure to provide true and correct information of a material nature in this application may result in registration not being granted or if it has been granted in cancellation or suspension of registration;
6. the organisation understands that the focus of ACFE  is providing pre-accredited education which creates further study or vocational pathways for disadvantaged learners;
7. those at Board and Management level understand they are responsible for ensuring the delivery of quality educational programs which conform with ACFE policies and guidelines;
8. the organisation commits to sharing its programs and learner resources developed with other provider, and to participating in ACFE forums and networks;
9. the organisation agrees to attend any mandatory ACFE training sessions unless otherwise agreed with DET staff;
10. the organisation commits to alerting DET within a week if there is a change to their funded status in the Neighbourhood House Coordination Program or as a Registered Training Organisation;
11. the organisation understands that failure to comply with the conditions of registration may result in registration not being granted or if it has been granted in cancellation or suspension of registration;
12. the organisation indemnifies the ACFE Board and DET and their officers, employees and agents in relation to any loss or damage sustained as a result of the failure of the organisation to comply with the conditions of registration;
13. the organisation acknowledges that registration does not constitute the organisation as an agent or employee of the ACFE Board or DET and that the employees officers or agents of the organisation do not have any authority to incur any obligation, make or purport to make any representation on behalf of the ACFE Board or DET;
14. the organisation understands that registration is not a guarantee of funding; and

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of an Act of Parliament of Victoria rendering persons making a False Declaration punishable for wilful and corrupt perjury.

|  |  |  |  |
| --- | --- | --- | --- |
| Location of declaration: |  | | |
|  |  | |  |
| Signed (Chairperson and/or Delegated Authority) |  | | |
|  |  | |  |
| Before me (witness\*) |  | | |
|  |  | |  |
| Date |  |

\*A person authorised to witness statutory declarations in accordance with the Evidence (Miscellaneous Provisions) Act 1958. See over for list.

Persons who can witness statutory declarations under Section 107A of the Evidence (Miscellaneous Provisions) Act 1958

* a justice of the peace or a bail justice;
* a public notary;
* an Australian lawyer (within the meaning of the *Legal Profession Act 2004*);
* a clerk to an Australian lawyer;
* the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or a deputy registrar of the County Court, the principal registrar of the Magistrates' Court or a registrar or deputy registrar of the Magistrates' Court;
* the registrar of probates or an assistant registrar of probates;
* the associate to a judge of the Supreme Court or of the County Court;
* the associate of an Associate Judge of the Supreme Court or of an associate judge of the County Court;
* a person registered as a patent attorney under Chapter 20 of the Patents Act 1990 of the Commonwealth;
* a member of the police force;
* the sheriff or a deputy sheriff;
* a member or former member of either House of the Parliament of Victoria;
* a member or former member of either House of the Parliament of the Commonwealth;
* a councillor of a municipality;
* a senior officer of a Council as defined in the *Local Government Act 1989*;
* a person registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student);
* a person registered under the Health Practitioner Regulation National Law–
* to practise in the dental profession as a dentist (other than as a student); and
* in the dentists division of that profession;
* a veterinary practitioner;
* a person registered under the Health Practitioner Regulation National Law to practise in the pharmacy profession (other than as a student);
* a principal in the teaching service;
* the manager of an authorised deposit-taking institution;
* a person who holds a prescribed membership of a prescribed accounting body or association;
* the secretary of a building society;
* a minister of religion authorised to celebrate marriages;
* a Victorian Inspectorate Officer within the meaning of the *Victorian Inspectorate Act 2011*;
* an IBAC Officer within the meaning of the *Independent Broad-based Anti-corruption Commission Act 2011;*
* a person employed under Part 3 of the *Public Administration Act 2004*with a classification that is prescribed as a classification to which this section applies or who holds office in a statutory authority with such a classification;
* a fellow of the Institute of Legal Executives (Victoria).

1. The Board reserves the right in exceptional circumstances to register or maintain the registration of organisations that have their principal operations outside Victoria. [↑](#footnote-ref-2)
2. Apart from where an organisation requests that its approval be cancelled or suspended, the Department would normally undertake the following procedures before suspending and/or recommending the ACFE Board cancel a registration.

   a) The organisation would be given notice in writing of the allegation, concern or other issue which the Department is investigating and given a reasonable opportunity to reply in writing to the matter.

   b) The time within which a response is requested will vary depending on the urgency of the matter.

   c) Further enquiries may need to be undertaken with the organisation and others. The organisation will be given the opportunity to comment on the results of any additional enquiries.

   d) After the enquiries have been completed, the organisation will be informed in writing whether the matter has been substantiated.

   e ) If the Department considers the matter is of sufficient importance to consider suspending, and/or recommending the ACFE Board cancel the organisation’s registration, the organisation will be given an opportunity to reply in writing whether its registration should be suspended or cancelled. [↑](#footnote-ref-3)