

# 2021 Guidelines About Apprenticeship/Traineeship Training Delivery

## *Skills First Program*

Department of Education and Training

## **PURPOSE**

These Guidelines detail additional requirements the Training Provider must apply when delivering *Skills First* subsidised training to Apprentices and Trainees.

These Guidelines must be read in conjunction with the VET Funding Contract (the Contract), in particular the specific Training Plan Requirements for Apprentices and Trainees in Schedule 1.

## **RELEVANT ORGANISATIONS**

The following organisations have a role in regulating or administering Apprenticeships and Traineeships in Victoria:

### **The Victorian Registration and Qualifications Authority (VRQA)**

The VRQA regulates Apprenticeships and Traineeships in Victoria. This includes regulating Training Contracts and approving the package of programs that makes up an Apprenticeship and Traineeship for a specific industry ('Approved Training Schemes'). The VRQA maintains Epsilon, the database used as a register of Apprentices and Trainees. Information can be found on the [VRQA website](#).

Approved Training Schemes are published in the Victorian Government Gazette and on the [VRQA website](#).

### **The Department of Education and Training (the Department) Apprenticeship Support Program**

This program assists Apprentices to navigate the Apprenticeship system through their first year as well as helps them resolve issues as they arise. Apprenticeship Support Officers (ASOs) located across Victoria provide Apprentices with an independent advice service to discuss issues that could impact on their Apprenticeship, including not only workplace or training issues but also personal issues. ASOs can also assist Apprentices to contact other services such as Centrelink, the Fair Work Ombudsman and WorkSafe, and to access literacy and numeracy support, drug and alcohol counselling or mental health practitioners. For more information visit [the Department's website](#) or contact the program via 1300 311 820 or [apprenticeship.support@education.vic.gov.au](mailto:apprenticeship.support@education.vic.gov.au)

### **The Australian Apprenticeship Support Network (AASN)**

The Australian Government contracts four Apprenticeship Network providers in Victoria as the first point of contact about starting an Apprenticeship or Traineeship. AASN providers offer support services (administrative support, payment processing and regular contact) and targeted services for those who need extra support to complete their Apprenticeship. Information on AASN services, including providers, can be found on the [Australian Apprenticeships website](#)

### **The Commonwealth Department of Education, Skills and Employment**

The Commonwealth Department of Education, Skills and Employment has responsibility for supports provided through the AASN and Apprenticeship employer incentives. Information can be found on the [Australian Apprenticeships website](#):

## **FURTHER INFORMATION**

Further information on Apprenticeship and Traineeship training in Victoria is available at the following links:

[For Apprentices/Trainees](#)

[For Employers](#)

Coronavirus (COVID-19) advice for [Registered Training Organisations](#)

## 1. REQUIRED NOTIFICATIONS TO RELEVANT ORGANISATIONS AND TIMEFRAMES

1.1 The Training Provider must notify the relevant organisation of the specific instances listed in the table below within the specified timeframe:

Instance:	Action:	Timeframe:
a) The program on Epsilon is not appropriate or relevant to the Apprentice or Trainee's work duties	Notify the relevant AASN provider and request that the employer and Apprentice or Trainee vary the Training Contract to reflect a suitable program	Immediately
b) The death of an Apprentice/Trainee	Notify the VRQA by email	Immediately
c) An Apprentice or Trainee's non-enrolment	Notify the AASN provider (if not accepting enrolment, set the Epsilon record to "POL unknown")	Within 2 weeks
d) A situation, including absences, which has the potential to affect completion of the Training Contract	Notify the VRQA (after making an effort to resolve the matter via contact with the employer and Apprentice/Trainee)	Within 2 weeks
e) Withdrawal/non-start of enrolled Apprentice/Trainee	Notify the AASN provider	Within 2 weeks
f) The requirements for issuing of a qualification to any Trainee or Apprentice are met	Notify the VRQA (update the Epsilon database by marking "Successful completion/POL complete", change the status to "Complete" and enter the actual completion date)	Within 2 weeks
g) Change of address for an Apprentice or Trainee	Notify the AASN provider by email to enable update of Epsilon	Within 2 weeks
h) Change of employer for an Apprentice or Trainee	Notify the AASN provider	Within 2 weeks

## 2. REQUIREMENTS FOR PLANNING AND DELIVERING COMPETENCY BASED TRAINING

### Planning for training

2.1 The employer has a legislative obligation to:

- a) arrange for their Apprentice or Trainee to be enrolled with a registered training organisation; and
- b) have a Training Plan signed

within three months of the date of commencement of the Training Contract (or within two months for school-based arrangements in accordance with the Approved Training Scheme).

The Training Provider's timeframes must not impede the employer's ability to meet this obligation.

2.2 The Training Provider is required to deliver the training in the Approved Training Scheme nominated on the Training Contract.

2.3 The Training Provider must not commence Structured Training before:

- a) the commencement date of the Training Contract;
- b) creation of the Epsilon record; and
- c) the trainer has contacted the employer/workplace supervisor of the Apprentice/Trainee to:
  - i. outline the supervisor's responsibilities;
  - ii. explain competency based progression and completion requirements;
  - iii. outline the purpose of planned future contacts; and
  - iv. develop a Training Plan (in conjunction with the Apprentice or Trainee).

- 2.4 Meaningful and on-going consultation with the employer and the Apprentice/Trainee is essential in the development and delivery of training in accordance with a Training Plan. Requirements for Apprentice and Trainee Training Plans are in Schedule 1 of the Contract.
- 2.5 Training Plans must align to the nominal duration of the Apprenticeship or Traineeship in the Approved Training Scheme unless otherwise requested by the employer and Apprentice or Trainee. The Training Plan should provide for training at regular intervals (either day or block release) across the period specified as the nominal duration of the Apprenticeship or Traineeship.
- 2.6 The Training Provider may deliver off-the-job Structured Training at its own training facility and/or Workplace based Structured Training in the Apprentice or Trainee's workplace. In both cases, the training is delivered by the Training Provider and the Apprentice or Trainee must be withdrawn from regular work duties in order to participate in the training.

**Note:** where the Training Provider delivers any Workplace Based Structured Training there are specific requirements for an employer to release the Apprentice/Trainee to do this training (see clause 4 of these Guidelines).

#### **Changes to the nominal duration of Apprenticeship or Traineeship**

- 2.7 The Training Provider must make all reasonable provisions for the Apprentice or Trainee to achieve all competencies required for the Structured Training identified in the Approved Training Scheme within the nominal duration of the Training Contract.
- 2.8 The Training Provider should advise the Apprentice or Trainee and their employer that an application for an extension to the term of the Training Contract must be made if they are unable to complete the Structured Training prior to the nominal completion date of the Training Contract. This application should be lodged with the VRQA by the employer via the relevant AASN provider.
- 2.9 Only when requested by the employer and Apprentice or Trainee (and consistent with Clause 6.20 of Schedule 1 of the Contract), can the nominal duration of an Apprenticeship or Traineeship be reduced. The duration may be reduced in updated versions of the Training Plan by agreement between the employer and Apprentice or Trainee, if the Apprentice or Trainee has been able to successfully complete the competencies ahead of schedule. The Training Provider should retain a signed copy of the request for audit purposes.

#### **Progression and competency sign off**

- 2.10 The Training Provider must keep an Apprentice or Trainee and their employer informed of their progress toward completing their program, including by ensuring that an Apprentice or Trainee and their employer always has access to an up-to-date Training Plan documenting the dates of all planned and completed training.
- 2.11 As required by Clauses 6.19 and 6.20 in Schedule 1 of the Contract, the Training Plan must be maintained to reflect the current status of the Apprentice or Trainee's training at any time. As it facilitates and evidences competency based progression, the Training Plan must be regularly reviewed and any changes to training must be reflected. For example, the Training Provider should ensure the program is current. A change to a superseding program is an important amendment, particularly where this results in the addition of subjects.
- 2.12 The Training Provider must make a minimum of four contacts per year with the employer to discuss the Apprentice or Trainee's progress against the Training Plan, including confirmation of competency. It is recommended that these contacts are in-person, however, contacts can also be made by email or by phone. In the case of Apprentices, these contacts should form part of a two-way dialogue that ensures the employer is aware of progress against the Training Plan as this may have implications for the Apprentice's wages.

Note that where the Training Provider delivers any Workplace based Structured Training there are further specific requirements to make contact with the Apprentice or Trainee and the workplace supervisor and to visit the workplace to deliver and document the training (see clause 4 of these Guidelines).

- 2.13 For Apprentices, the Training Provider must seek employer confirmation in writing (including e-mail) of competence in the workplace for any competencies for which the Training Provider has assessed the Apprentice as competent (noting the exceptions in 2.15). This ensures the consistent application of knowledge and skill to the standard of performance required in the workplace.
- 2.14 Timelines for employer confirmation should be agreed with the employer. Confirmation of competence may be sought for a cluster of competencies rather than each individual competency.

The confirmation process should be discussed and documented in the Training Plan prior to the start of training. If the employer is a Group Training Organisation (GTO), sign-off must be from the GTO, not the host employer.

- 2.15 Not all employers perform the full scope of work of an Apprenticeship program. Where a subject (whether core or elective) is not performed in the workplace, this must be identified upfront in the Training Plan and the Training Provider is not required to seek employer sign-off on that competency. For elective subjects, the Training Provider should use the flexibility within the Training Package to identify subjects that are relevant to the workplace.
- 2.16 Some industrial arrangements increase an Apprentice's wages based on the Apprentice's progress through their Apprenticeship (typically at 25, 50 and 75 percent through the Apprenticeship). Most Modern Awards with these provisions require the employer to notify the Training Provider within 21 days if they disagree with the assessment. These industrial arrangements relate to the employment relationship and do not remove the Department's requirement for Training Providers to continue to seek employer confirmation of competency.
- 2.17 When reporting on competency based training activity on the Skills Victoria Training System (SVTS), Training Providers must ensure they do so in accordance with the requirements detailed on the [Competency Based Training and Completion webpage](#).
- 2.18 The Training Provider is expected to facilitate claims under the Commonwealth's [Australian Apprenticeships Incentives Program](#) including by providing supporting documents as requested (for example, by the employer, the Apprentice or Trainee, the Apprenticeship Support Officer or an AASN representative).

### **3. PART-TIME APPRENTICESHIPS AND TRAINEESHIPS**

- 3.1 All Approved Training Schemes are available on a part-time basis subject to there being a suitable employment arrangement in place.
- 3.2 The onus is on the employer to establish whether a part-time arrangement is sought, establish suitable arrangements and to record the part time arrangement on the Training Contract.
- 3.3 The Training Provider should not develop or market programs that impede the employer's ability to comply with this requirement.
- 3.4 Training Providers should ensure the training meets the requirements for part-time Apprenticeships and Traineeships, as specified in the Approved Training Scheme, including specific requirements for School Based Apprenticeship/Traineeships. These requirements are summarised at **Attachment 1**. Training Providers should note that Approved Training Schemes specify longer nominal durations for Apprenticeships and Traineeships undertaken part-time.

### **4. WORKPLACE BASED TRAINING MINIMUM COMPLIANCE STANDARDS**

#### **Visits for delivery of training**

- 4.1 The Training Provider is required to conduct a workplace induction with the Apprentice or Trainee and supervisor and sign off the Training Plan with the supervisor/employer.
- 4.2 In addition to the requirements in Section 2 to make a minimum of four contacts per year with the employer, the Training Provider is required to make a minimum number of visits to deliver training. The minimum number of visits depends on the proportion of training and assessment planned to be delivered in the workplace:
  - a) one visit per year for 25 per cent or less of the nominal hours of the program;
  - b) two visits per year for 26 - 50 per cent of the nominal hours of the program;
  - c) three visits per year for 51 - 75 per cent of the nominal hours of the program; and
  - d) four visits per year for more than 75 per cent of the nominal hours of the program.
- 4.3. The purpose of the visits is to:
  - a) deliver training and/or assessment in accordance with the Training Plan;
  - b) discuss progress against the Training Plan with the Apprentice/Trainee; and  
document the training and/or assessment delivered against the competencies for the Training Plan.

**Note:** the Training Provider may also obtain employer sign off on competency during these visits if convenient (i.e., some of these visits may be done concurrently with the four required employer contacts per year).

- 4.4. The Training Provider must record verification of the face-to-face visits by obtaining the dated signature of the employer/workplace supervisor and Apprentice/Trainee.

#### **Withdrawal from work duties for training**

- 4.5 The Training Provider must ensure that the employer allows withdrawal time from routine work duties for Structured Training activities, as follows:

- a) at Certificate III and above, a minimum of three hours per week, averaged over a four week cycle (pro rata for part-time Trainees and only for the duration of competencies delivered and assessed in the workplace if the training program combines off-the-job Structured Training and Workplace based Structured Training);
- b) at Certificates I and II a minimum of one and half hours per week, averaged over an eight week cycle (pro rata for part-time Trainees and only for the duration of competencies delivered and assessed in the workplace if the training program combines off-the-job Structured Training and Workplace based Structured Training); and
- c) a maximum of 40 hours of the annual withdrawal time may be delivered as block training within the first three months of training for all programs. This training should focus on compliance and regulatory subjects and generic skills.

- 4.6 Where an employer/supervisor is not allowing the Apprentice/Trainee to be withdrawn from routine work duties for the applicable minimum specified time, and consultation with the employer/supervisor does not resolve the issue, report the non-compliance to the VRQA within 14 days.

#### **Contacts to monitor withdrawal time and learning**

- 4.7 The Training Provider must make monthly contact by either e-mail or phone with both the Apprentice or Trainee and the workplace supervisor to:

- a) monitor and document the progress of training against the Training Plan;
- b) monitor and document the training/learning activities undertaken during the withdrawal time for the previous month; and
- c) document the dates and time periods logged as withdrawal time in the previous month.

### **5. COMPETENCY BASED COMPLETION REQUIREMENTS**

- 5.1 For all Apprentices and Trainees, the Training Provider may only issue the qualification when:
- a) all competencies of the Structured Training have been achieved;
  - b) the employer has returned written confirmation of the Apprentice or Trainee's competence in the workplace (if the employer is a GTO, final confirmation must be from the GTO, not the host employer); and
  - c) the Training Provider has given clear advice to the employer and Apprentice or Trainee that final confirmation completes the Training Contract.
- 5.2 The Training Provider must ensure that qualifications issued following the completion of an Approved Training Scheme contain on the certificate below the program title, the words 'achieved through Australian Apprenticeship arrangements'. (Refer to clauses 6.3 and 6.6 for exceptions.)
- 5.3. The Training Provider must retain the employer's written confirmation of the Apprentice or Trainee's competence for audit purposes.
- 5.4. Once a qualification has been issued, the Training Provider should encourage the Apprentice to apply for a Trade Paper via the VRQA. Details can be found on the [VRQA website](#).

### **6. UNEMPLOYED APPRENTICES AND TRAINEES**

#### **Unemployed Apprentices**

- 6.1 When an Apprentice becomes unemployed, the Training Provider can continue to deliver Structured Training (and report the training under the same funding source code), while supporting the

Apprentice to find another employer. Training Providers should help unemployed Apprentices to access assistance to find employment, including:

- a) Notify the [Apprenticeship Support Program](#) to report the loss of employment and access support to re-engage the Apprentice.
- b) Encourage the Apprentice to access the [Victorian Skills and Jobs Centres](#) for re-employment or further training advice.
- c) Refer the Apprentice to the [Apprenticeship Employment Network website](#) which advertises employment opportunities for Apprentices.

6.2 The Training Provider may provide a result for outstanding subjects after at least two attempts (one verbal and one written) have been made to gain the former employer's confirmation of competence for those subjects. Evidence of this should be kept on file for auditing purposes.

6.3 The Training Provider should monitor the progress of unemployed Apprentices to avoid completion of the program before re-engaging with another employer. Apprentices should be advised of the potential negative consequences of completing a qualification outside of an Apprenticeship including exclusion from licensing requirements, reduced employment opportunities and ineligibility for Trade Papers.

### **Unemployed Trainees**

6.4 Where a Trainee becomes unemployed, the Training Provider must continue to deliver Structured Training, (and report the training under the same funding source code) for three months, or to the end of the enrolment period for which tuition fees have been paid, whichever is the greater.

6.5 During this time the Training Provider should support the unemployed Trainee to seek re-employment in order to complete their Traineeship, including encouraging them to access the [Victorian Skills and Jobs Centre](#) for re-employment or further training advice.

6.6 If, and only as a last resort, a Trainee successfully completes the Structured Training while unemployed, the words 'achieved through Australian Apprenticeship arrangements' should be omitted from the certificate. The Trainee must be made aware of this before completing their training, and that the VRQA will not recognise this as completion of a Traineeship in Victoria. The Training Provider is not required to update Epsilon.

### **Retrenched/Re-employed Apprentices or Trainees**

6.7 The Retrenched Apprentices and Trainees Program aims to assist Apprentices and Trainees impacted by the coronavirus (COVID-19) pandemic by engaging them with employment and/or training so that they can complete their Apprenticeship or Traineeships. Apprentices and Trainees who have lost employment are encouraged to register with the [Retrenched Apprentices and Trainees Program](#).

6.8 The Training Provider should note that employers that take on a displaced Apprentice or Trainee may be eligible for a payroll tax exemption. More details can be found on the [State Revenue Office's website](#).

## **7. SCHOOL-BASED AND HEAD START APPRENTICESHIPS OR TRAINEESHIPS**

7.1 Apprenticeships or Traineeships can be undertaken as School Based Apprenticeship or Traineeship (SBAT) or Head Start Apprenticeship or Traineeship (HSAT) programs, integrated into a student's Victorian Certificate of Education (VCE) or Victorian Certificate of Applied Learning (VCAL).

7.2 Some programs are not available for HSAT (see the HSAT list) or SBATs (see the relevant Approved Training Scheme).

### **SBAT**

7.3 An SBAT is an Apprenticeship or Traineeship (other than a HSAT) undertaken by a student enrolled in VCE or VCAL, with at least one day per week timetabled to be spent on the job or in training during the normal school week. The Training Plan must be developed by the Training Provider, together with the employer and the Apprentice/Trainee. A representative of the student's school must sign the Training Plan to confirm:

- a) the student is enrolled in VCE or VCAL;

- b) the student's study, training and work commitments form an integral part of that student's school learning program and study timetable and are consistent with the student's career aspiration as outlined in their career action plan; and
  - c) it will not be detrimental to the student's overall education.
- 7.4 For an Apprentice or Trainee undertaking the training as part of an SBAT, the Training Provider must ensure that:
- a) it makes contact with the secondary school to develop the Training Plan;
  - b) the Training Plan is also signed by an authorised representative of the school within two months of the signing of the Training Contract;
  - c) a copy of the signed Training Plan is provided to the relevant AASN;
  - d) in consultation with the school, known results for SBAT subjects should be made available to schools by the end of October in the current enrolment year to allow for the school to enter results on the Victorian Assessment Software System (VASS) in a timely manner. Results must be supplied to schools at least one week prior to the cut-off date as schools require one week to allow for data entry. Check the exact date on the [VCAA website](#) and search for the VCE and VCAL Administrative Handbook;
  - e) schools are notified when there are amendments to the Training Plan (this allows students to receive full credit in their VCE or VCAL); and
  - f) the training meets the requirements specified in the relevant Approved Training Scheme, including specific SBAT requirements (see **Attachment 1**). Training Providers should note that Approved Training Schemes specify longer nominal durations for Apprenticeships and Traineeships undertaken through school based arrangements.

7.5 Further information and a guide to establishing and delivering SBATs (including stakeholder roles and responsibilities) can be found on the [Department's website](#).

7.6 School students who undertake an Apprenticeship or Traineeship that is not integrated into their VCE or VCAL learning program and study timetable are undertaking a part-time Apprenticeship or Traineeship. This type of arrangement will still provide credit for VCE or VCAL if it is recorded on VASS but does not require school endorsement. These arrangements are at an individual student's discretion and are not government subsidised.

### **HSAT**

7.7 An HSAT is an Apprenticeship or Traineeship undertaken by a student who is enrolled in VCE or VCAL, in a program listed on the HSAT list and through a HSAT school.

7.8 HSAT arrangements will be underpinned by a HSAT Pathway Plan. The HSAT Pathway Plan details a planned approach to the student's learning (including VCE or VCAL and VET) and work program for the duration of the Apprenticeship or Traineeship. School based Head Start staff provide support to the Apprentice or Trainee and the employer for the duration of the Apprenticeship or Traineeship. It includes agreement of all relevant parties to the plan and a record of student's progress. The Training Plan must be included as an attachment to a Head Start Pathway Plan when it is developed.

7.9 The Training Plan must be developed by the Training Provider, the employer, and the Apprentice/Trainee, and in consultation with the secondary school. The Training Plan must also be signed by an authorised representative of the student's school to confirm:

- a) the student is enrolled in VCE or VCAL;
- b) the student's study, training and work commitments form an integral part of that student's school learning program and study timetable, are consistent with the student's career aspiration as outlined in their career action plan; and
- c) it will not be detrimental to the student's overall education.

7.10 For an Apprentice/Trainee undertaking the training as part of an HSAT, the Training Provider must ensure that:

- a) it makes contact with the secondary school to develop the Training Plan;
- b) the Training Plan is also signed by an authorised representative of the school within two months of the signing of the Training Contract;



- c) a copy of the signed Training Plan is provided to the relevant AASN provider;
- d) in consultation with the school, known results for HSAT subjects are made available to schools by the end of October in the current enrolment year to allow for the school to enter results on the Victorian Assessment Software System (VASS) in a timely manner. Results must be supplied to schools at least one week prior to the cut-off date as schools require one week to allow for data entry. Check the exact date on the [VCAA website](#) and search for the VCE and VCAL Administrative Handbook;
- e) schools are notified when there are amendments to the Training Plan (this allows students to receive full credit in their VCE or VCAL); and
- f) the training meets the requirements specified in the relevant Approved Training Scheme, including specific SBAT requirements (see **Attachment 1**). Training Providers should note that Approved Training Schemes specify longer nominal durations for Apprenticeships and Traineeships undertaken through school-based arrangements.

7.11 An HSAT will be supported by a Head Start Co-ordinator who will liaise with the Training Provider to ensure the above actions take place. The Head Start Coordinator will also visit the workplace at least once each semester to ensure the student is progressing satisfactorily and will be the point of contact for the student and Training Provider if workplace issues arise.

## **Attachment 1: Guidelines on part-time and School Based Apprenticeship and Traineeship arrangements in Victoria**

### **Part-time Apprenticeship/Traineeship**

A part-time Apprenticeship or Traineeship is an Apprenticeship or Traineeship where the ordinary hours of employment, including the training component, are less than the usual hours of employment for a full-time employee in that industry. A part-time Apprenticeship or Traineeship must be undertaken for an average of at least 13 hours per week. The 13 hours must be made up of 7 hours of employment and 6 hours of structured training, except where the program is fully workplace based (see fully workplace based requirements below). The minimum 13 hours in employment and training may be averaged over a period of one, two or four weeks, unless the Apprentice or Trainee is also a school student, in which case training may be averaged over three periods of four months in the year (See HSAT and SBAT below).

### **Head Start Apprenticeship or Traineeship (HSAT)**

A HSAT must be undertaken for an average of at least 13 hours per week. The 13 hours per week of employment and training may be averaged over three periods of four months in the year.

### **School Based Apprenticeship or Traineeship (SBAT)**

An SBAT must be undertaken for an average of at least 13 hours per week. The 13 hours must be made up of seven hours of employment and six hours of structured training, except where the program is fully workplace based (see fully workplace based requirements below). The 13 hours per week of employment and training may be averaged over three periods of four months in the year.

At least one day per week (timetabled in the Training Plan) is to be spent on the job or in training during the normal school week.

### **Workplace Based Training**

**Certificate I and II:** Full-time Trainees undertaking workplace training at AQF levels I and II must be withdrawn from routine work duties for a minimum of 1.5 hours per week to undertake Structured Training/learning activities. This is applied pro-rata for SBAT and part-time Trainees, with a minimum of half an hour per week (averaged over two months).

**Certificate III:** Full-time Apprentices and Trainees must be withdrawn from routine work duties for a minimum of three hours per week for planned training. This is applied pro-rata for part-time Apprentices and Trainees, with a minimum of one hour per week (averaged over four weeks).

The training undertaken during the period of release must include a focus on the compliance and regulatory subjects and the subjects concentrating on generic skills. Up to 40 hours of this training may be transferred to be delivered in one or more blocks during the first three months of the training program.