

Statement of Expectations

Principles and obligations for
government contracted
training providers in Victoria



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Refocusing Vocational Training in Victoria describes how the Government is building a modern vocational training system that has more people confidently building skills that lead to better jobs. A core part of realising that objective is raising minimum standards and setting clearer service expectations for providers of government-subsidised training.

For Victoria's modern vocational training system to function properly the Department of Education and Early Childhood Development (the Department) has ensured that a robust framework and processes are in place to properly support and monitor the performance of contracted training providers. These are set out in the *Victorian Training Guarantee Compliance Framework*.

In line with *Refocusing Vocational Training in Victoria* and the *Victorian Training Guarantee Compliance Framework* the development of a Statement of Expectations (the Statement) is one way we are working to be upfront and clear about expectations within the context of the Compliance Framework.

The Statement of Expectations

The Statement has been prepared recognising the range of existing regulations and standards already in place governing training providers. This Statement draws upon these instruments and explains them in terms of the responsibilities and ethical behaviours training providers should strive for in service provision and business practice. It is the responsibility of providers to make certain they act in accordance with the Statement and the trust placed in them by government and the community.

Ethical behaviour means that training providers are fair and honest when dealing with the individuals they train, each other, industry and community representatives and government. All decisions a provider makes must show good judgement and be justifiable. Training providers must show professional behaviour at all times during the conduct of their duties as outlined in their respective Service Agreements.

The Purpose

The purpose of the Statement is to:

- Define the principles and standards of conduct expected of registered training organisations (RTOs) in the provision of government-subsidised vocational training services
- Enable training providers to understand the standards of conduct expected of them
- Provide students and clients with a clear statement of the standards which they can expect RTOs to adopt and deliver
- Promote public confidence and trust in the provision of vocational training

The Statement contains four fundamental principles of ethical behaviour. Each principle is underpinned by a set of obligations describing the behaviour that will demonstrate that principle. The principles and obligations are equally important. Together they describe the standards of behaviour expected of all RTOs contracted to provide vocational training in Victoria.

The standards do not and cannot cover every possible situation that can arise in providing training services, instead they represent a broad framework to help decide on appropriate conduct and behaviour in a range of situations

Principles and obligations

Principle 1:

Commitment to serving the public interest

By entering into a contract with the Department, the training provider is engaged in providing a service to the public and commits to acting in a manner that is consistent with community expectations of public service.

It doesn't matter to the public whether the government service is being provided by an employee or a contractor. They expect the same high standards of integrity. This means that the training provider should place responsibility for the education, welfare, health and safety of their students and for meeting their obligations under their Service Agreement before their responsibility to sectional or private interests.

Training providers meet these expectations by:

1.1 Acting in a manner which promotes confidence in the integrity of the Victorian vocational training system and in the organisations providing training services

- Acting in the interests of students, industry and the broader community
- Acting ethically, exercising due care, skill and judgement
- Not acting in a manner that may damage, ridicule, bring into disrepute or be detrimental to the Victorian vocational training system
- Accurately representing recognised education and training products and services to prospective students and clients

1.2 Behaving honestly and in a way that upholds the objects and values of the *Victorian Training Guarantee*

- Promoting access to government-subsidised training to individuals who meet the eligibility criteria
- Appropriately assessing the eligibility of prospective students to ensure entitlement to a subsidised training place
- Setting tuition fees in accordance with the Department's requirements
- Maintaining accurate and up-to-date records of student enrolments, fees and student participation in courses to support the Department's framework for assessing compliance with the Victorian Training Guarantee program

1.3 Committing to excellence in service delivery and maximising outcomes for students

- Understanding the individual needs of students and working diligently to provide training, assessment and support services to meet these individual needs
- Having policies and management practices in place that maintain high professional standards in the delivery of education, training and assessment services
- Maintaining a learning environment that is conducive to the success of students
- Treating complaints from students, businesses and the community seriously and responding to constructive feedback as an opportunity for improvement

1.4 Acting in the best interests of students and with sensitivity to their diverse social, cultural and special learning needs

- Providing prospective students with comprehensive information about training, assessment and support services to enable informed choice and decision making
- Assisting prospective students to understand their rights and obligations prior to enrolment or entering into an agreement
- Respecting the cultural, ethnic and religious differences of students
- Understanding the learning needs of individual students and providing training, assessment and support services to assist these students make the most of their training

1.5 Acting in accordance with applicable professional ethics, policies and standards

- Knowing and complying with all policies, standards, procedures and guidelines that relate to registration or service delivery performance
- Adopting and maintaining practices that ensure high professional standards in all aspects of their operations
- Not engaging in any conduct that is contrary to government policy and their Service Agreement obligations, or has the potential to bring their organisation, the sector or the Victorian Training Guarantee into disrepute



Principle 2:

Responsiveness to the government and the needs of the community

RTOs must act in accordance with the Government's vocational training policy directions as embodied in the requirements of the Victorian Training Guarantee. This means that training providers must:

2.1 Be responsive to the government of the day and implement priorities, policies and decisions with professionalism and impartiality

- Understanding and following the letter and spirit of the policies, priorities and procedures of the government of the day
- Understanding their public duty responsibilities when working for government
- Maintaining appropriate relationships and communications with official representatives of government

2.2 Comply with the laws and regulations of State, Australian and local governments

- Accepting and valuing their duty to know and uphold the laws and regulations of State, Australian and local governments applicable to providers of vocational training services
- Acting appropriately and promptly when known or suspected breaches of any laws or regulations are identified or reported

2.3 Comply with and apply policies of the Department as embodied in the Service Agreement

- Fully understanding obligations set out in the Service Agreement
- Acting appropriately and promptly when breaches of the Service Agreement terms and conditions are identified or reported
- Making all reasonable efforts to work and communicate effectively with and maintain confidence of, all stakeholders affected by the Service Agreement

2.4 Work in partnership with students, industry and informed consumers to ensure the ongoing relevance of vocational training

- Accepting and valuing responsibility to engage with, and provide comprehensive information to students so they have choice over what and where they study
- Accepting and valuing responsibility to engage with businesses, industry and informed consumers to understand new and emerging skills needs
- Knowing and utilising the mechanisms in place to engage with, and to establish relationships with industry, businesses and informed consumers to help build a responsive training sector

Principle 3:

Accountability and transparency

A comprehensive and transparent framework for accountability for vocational training is key to assuring the public and other stakeholders of the integrity of the government funded training system and in meeting the objectives of the Government's policy for vocational training.

This includes:

3.1 The organisation effectively governing itself and exercising responsibilities with competence and professionalism in the performance of its contracted training role

- Exercising proper diligence in organisational governance and management and giving priority to contracted training requirements
- Demonstrating governance arrangements comply with relevant laws, regulations and standards
- Providing training services in compliance with all applicable laws and standards
- Ensuring diligence in administration including identifying and acting on instances of fraud, misconduct, maladministration, waste of public funds and risk to health and safety

3.2 Using public resources in a manner that is effective, accountable and consistent with Service Agreement requirements

- Exercising efficient and effective management of human and financial resources to obtain maximum value for the funds expended by the Department to achieve high-level vocational training outcomes for students
- Exercising diligence in the application of public resources to make sure funds are used to provide training services to the eligible students to whom the funds apply

- Making sure students and employers are aware of the costs associated with the training courses on offer and have sufficient information to make an informed choice

3.3 Cooperating with the Department to demonstrate and verify compliance

- Understanding obligations in accordance with requirements of the Victorian Training Guarantee and the Service Agreement, performance standards to be met and reporting requirements to comply with
- Ensuring that appropriate compliance, reporting and auditing frameworks, controls and systems are in place to meet the Department's compliance requirements
- Ensuring correct and timely reporting as required by the Department
- Being responsive to questions about their activities and compliance
- Participating in audits and rectifying any non-compliance that may be found

3.4 Ensuring appropriate and lawful use and disclosure of information

- Treating official information with care and using it only for the purposes for which it was collected
- Storing official information securely, and limiting access to those persons requiring access for legitimate purposes
- Not using confidential or personal information to further sectional or private interests

3.5 Regularly monitoring, reviewing and improving organisational performance

- Establishing systematic processes for regular organisational performance review and improvement
- Consulting with students, businesses, industry and government to obtain constructive feedback as an input to performance improvement processes
- Maintaining and developing professional skills and knowledge of human resources to contribute to a high quality vocational training system



Principle 4:

Integrity and fairness

In recognition that contracted training providers are providing a public service they should seek to promote public confidence in the integrity of their organisation by:

4.1 Committing to the highest ethical standards

- Ensuring their behaviour and decision making is ethical
- Observing procedural fairness in their decision making processes
- Engaging with students, clients and the community in a manner that is consultative, respectful and fair
- Meeting obligations to act on suspected wrongdoing, including conduct not consistent with this Statement

4.2 Respecting the rights and dignity of students and clients

- Having processes in place to ensure students and clients are adequately informed of their rights
- Being sensitive to the specific cultural and social needs of all students and clients
- Ensuring students receive adequate orientation, appropriate information and advice on student services available when difficulties arise
- Having processes in place to ensure training staff act with integrity in all dealings with students and clients
- Committing to the principles of access and equity in the delivery of services

4.3 Committing to honest, fair and respectful engagement with students, business, industry and the community

- Engaging in open communication with all students, including assisting those with disabilities and from non-English speaking backgrounds to contribute to, and provide feedback on, the progress of their training
- Listening and responding to issues and concerns raised by students, business, industry and the community about training courses and provider performance
- Consulting with students, business, industry and the community in the development of training courses, improvement of training quality and system responsiveness
- Engaging with the Department in consultation processes to improve training quality and system responsiveness

4.4 Avoiding conflicts between private interests and professional responsibilities

- Identifying, declaring and avoiding any apparent conflict of interest
- Having processes in place to manage potential conflicts of interest
- Ensuring that any conflict of interest is resolved in the public interest

Glossary

Accountability	The state of being accountable, liable or answerable.
Breach	An infraction or violation, as of a law, trust, faith, or promise.
Ethical behaviour	Behaviour that is in agreement with approved standards and expectations of a group or organisation. Behaviour that is ethical relates to one's own or society's accepted values or morals.
Fairness	The state, condition, or quality of being fair, or free from bias or injustice; even-handedness.
Integrity	Adherence to moral or ethical principles, soundness of moral character, honesty.
Maladministration	Inefficient, bad or improper administration that is contrary to law, or unreasonable, unjust, oppressive or improperly discriminatory, or based wholly or partly on improper motives.
Obligation	Something by which a person, or organisation is bound to, or obliged to do. A binding promise, contract or sense of duty.
Organisational governance	Refers to the set of systems, principles and processes by which an organisation is governed. They provide the guidelines as to how the organisation can be directed or controlled such that it can fulfill its goals and objectives in a manner that adds to the value of the organisation and is also beneficial for all stakeholders in the long term.
Principle	A universal rule or law, or a standard or code that we live by that is commonly accepted to be true and is supposed to be used as the basis for anyone's judgement or reasoning.
Private interest	The welfare, wellbeing or interest of an individual person, company, or organisation often pursued in place or at the expense of the broader public interest.
Procedural fairness	Requires a decision maker to inform an individual of the allegations against them; give an opportunity for the individual to respond; and to not have a personal interest in the outcome.
Public interest	The welfare or wellbeing of the general public.
Refocusing Vocational Training in Victoria	Government statement released in April 2012 outlining how government is reforming the vocational training system in Victoria.
Registered Training Organisation (RTO)	Registered Training Organisations (RTOs) are those training providers registered by ASQA (or, in some cases, a state regulator) to deliver vocational training services.
Service Agreement	Sets out the requirements that training providers must abide by to maintain compliance as contracted providers in receipt of government training subsidies.
Standard	Those morals, ethics, habits, etc., established by authority, custom, or an individual as acceptable. A rule that is used as a basis for judgement.
Victorian Training Guarantee	An entitlement to government-subsidised vocational training in Victoria for people who meet the eligibility criteria.
Victorian Training Guarantee Compliance Framework	Sets out the elements of the Department's approach to administering and ensuring compliance of contracted providers in the Victorian vocational training system