

Senate Committee: Education and Employment

**QUESTION ON NOTICE
Additional Estimates 2015 - 2016**

Outcome: Skills and Training

Department of Education and Training Question No. SQ16-000531

Senator Carr, Kim provided in writing.

Cancellation of eligibility of providers for access to VET FEE-HELP

Question

Has the department removed from the list of VET FEE-HELP eligible providers the providers recently de-registered by ASQA?

Which providers have been removed since the October 2015 Estimates hearing?

How does the process for this work? Does ASQA notify you of de-registered providers? If so, is there a required timeframe for such notifications?

Has the liaison with ASQA through the new working group resulted in picking up concerns and problems more easily? Please provide details.

Answer

While, as a result of the Australian Skills Quality Authority's (ASQA) 2015 targeted audits of VET FEE-HELP providers program, ASQA has taken the decision to cancel the registration of four VET providers, none of these providers has yet been removed from the list of approved VET providers as, in accordance with clause 29B of schedule 1A to the *Higher Education Support Act 2003* (HESA), a decision to revoke a body's approval as a VET provider can only be made if the original decision by the VET regulator to de-register the registered training organisation (RTO) has not been set aside or quashed, and is no longer subject to review (including Administrative Appeals Tribunal proceedings).

However, if a determination has been made to pay a provider in advance, that determination may be revoked or varied (with the consequence of suspending payments owing to that provider until final reconciliation is complete) on a number of bases including that the provider has not complied with the VET quality and accountability requirements contained within Schedule 1A HESA. Examples of such non-compliance may be based on findings of ASQA that the provider has breached the NVR Standards or because of a failure to hold sufficient tuition assurance.

Since the October 2015 estimates hearing, no provider has had its approval revoked by the department as a result of de-registration by ASQA in accordance with clause 29B of schedule 1A HESA. However, in that period, two VET providers, Phoenix Institute of Australia Pty Ltd and Training and Development Australia Pty Ltd, have had VET provider approval revoked by the department for breaches of the quality and accountability requirements.

ASQA notifies the Department of Education and Training of the ASQA Commissioners' decisions and the communication of the decision to the RTO in question. ASQA will inform the department of any further development related to any decisions, for example, actions being considered by the Administrative Appeals Tribunal. While there is no mandated

timeframe for this information to be provided by ASQA to the department, ASQA acts quickly to provide the information (usually within two working days of the formal meeting minutes being approved by a Commissioner).

To date, the focus of the new department/ASQA VET FEE-HELP Working Group has been on the development of joint compliance procedures. As part of the working group arrangements both agencies continually share information regarding VET providers which will result in enhanced compliance.