

NSSSP Site Audit Report

Skillinvest Limited

Audit of compliance with the minimum standards and other requirements for registration

26 and 27 August 2019

Auditor details

Name(s) of auditor(s)	Robyn Timmins (lead), Leon Kildea
Date(s) of visit(s)	26 and 27 August 2019

Provider details

Provider name	Skillinvest			
Name of legal entity	Skillinvest Limited			
Chief Executive Officer	Name	Darren Webster		
	Position title	Chief Executive Officer		
Address of legal entity	Street address	15-17 Dimboola Road		
	Suburb/town	Horsham	Postcode	3402
Postal address (if different)	Street address	PO Box 234		
	Suburb/town	Dandenong	Postcode	3175
Course delivery	<input checked="" type="checkbox"/> VCAL	<input type="checkbox"/> Foundation	<input checked="" type="checkbox"/> Intermediate	<input checked="" type="checkbox"/> Senior
	<input type="checkbox"/> VCE	If not full VCE qualification, list units: 1. 2. 3.		
Conditions (if any)				
Primary delivery address	Street address	290 Thomas Street		
	Suburb/town	Dandenong	Postcode	3175
Number of students enrolled	43 (29 Intermediate level & 14 Senior level)			
Student age range	15 to 20 years			
Age of youngest enrolled student	15 years and 6 months			

Provider background

The State Register published on the VRQA website lists the non-school senior secondary education registration start date for Skillinvest as 7 October 2015. Management however believe the organisation has been providing the VCAL over a much longer period.

Skillinvest runs an integrated VCAL program at Intermediate and Senior levels with rolling enrolments. The intermediate program runs over two years for students who commence with insufficient knowledge and skills and an ability to work with some level of independence. Students can choose to study a VET certificate from Automotive, Business, Building and Construction, Hairdressing or Sport and Recreation. Two students were studying VET with Chisholm in 2019 but were reported as having withdrawn. The cost of a third-party providing VET is prohibitive. Skillinvest is considering broadening the choice of VET certificates due to evidence of poor engagement and attendance on "VET day". In contrast the highest level of engagement is reported on days students help out with the Soup Kitchen or work with residents with dementia in an aged care facility as part of their studies in the Personal Development Strand (PDS). Students attend their VCAL classes three days per week on Monday, Tuesday and Thursday and their VET course on Wednesdays. There are no classes on Friday and no students are currently in work placement. The new VCAL co-ordinator has recently increased the hours of attendance on Thursdays from a half day to a full day due to concerns about sufficient coverage of the course requirements.

A student needs to be 15 on 1 January to commence with Skillinvest. The enrolment register provided indicates that the youngest student turned 15 on 20 February. The maximum age advertised on Skillinvest's website is 19 years, however two students in Senior VCAL turned 20 in February and March respectively. The majority of students are within 15 to 19 years of age.

On the morning of Monday 26 August there were four Senior VCAL students (out of 12) in attendance, and 15 Intermediate level students out of 27. The 4 students in the Young Parents Education Program were not in attendance. On the following day, Tuesday 27 August, a number of students were observed arriving early at around 8.30am and were quietly sitting in warm classrooms or the student kitchen area.

In the past Skillinvest has delivered the VCAL off site at Cranbourne Secondary College in the form of a Young Parents Education Program (YPEP) which is facilitated by the South East Local Learning and Employment Network (SELLEN). In 2019 Skillinvest is providing the YPEP in house at the Thomas Street site. There were four students left in YPEP at the time of the site audit, three students had withdrawn during the year. Skillinvest intends to cease offering YPEP in 2020 and is hoping the two senior students will complete their VCAL and the two intermediate level continuing students will be transferred to the YPEP program at Hallam Secondary College.

Management advised that three years ago numbers had dwindled to the point where the viability of the program was in jeopardy but a new VCAL co-ordinator targeted disengaged youth and increased the numbers to 60 within 18 months. All of the students are enrolled in a government school, Skillinvest doesn't have the capacity to enrol any students directly as it doesn't have any access to the Victorian Assessment Software System (VASS). Management indicated that it would not be possible to provide the VCAL directly through Skills First funding due to the extended range of services their students require such as welfare, mental health and specialist education support.

A new VCAL co-ordinator commenced 6 weeks ago and a compliance and project officer 3 months ago. Both have made significant improvements in the compliance documentation and in the delivery arrangements for the VCAL compared with the documentation provided to the VRQA for the initial desk based assessment.

Skillinvest is contracted by government schools to deliver the VCAL to students who remain enrolled in a government school. The Senior Secondary Services set out in Schedule 1 of the Standard Community VCAL contracts for 2019 is for the entire VCAL, i.e. all strands and 980 hours at Senior and at Intermediate level. Under the Obligations of the Contractor, Skillinvest is required to be responsible for the care and supervision of the students and take all reasonable precautions to protect and keep safe the Students whilst Services are provided at the premises of the School, whilst services are being provided at any premises outside of a School, and during any travel by the Students organised by the Contractor.

It was reported that students can be referred from a school, or approach Skillinvest directly for enrolment. Skillinvest conducts an interview to determine if the student is right for the program and vice versa. If Skillinvest decides to take the student, the student is advised to exit their school and enrol with either Oakwood School or Keysborough Secondary College. Skillinvest provides the enrolment form for the Oakwood School which designates Skillinvest as a campus of Oakwood School. Skillinvest uses the term Community VCAL (CVCAL) on all of its documentation to describe its program. If the student is being enrolled after the contract and funding has been agreed, an agreement is reached with Oakwood for a pro rata transfer of funding. Skillinvest is not currently taking any more enrolments for 2019 due to staffing pressures and is placing students onto a waiting list for 2020.

In 2019 two government schools have engaged Skillinvest to deliver the VCAL under a Community VCAL Contract; Keysborough Secondary College and Oakwood School. The Keysborough contract covering 19 students was executed on 11 June 2019 for a total of \$199,017.33 (comprising 95% of Stages of learning, 100% of eligible VETiS, 100% of eligible Career Education Funding, 100% of eligible Program for students with disabilities funding). One student has disability funding of \$17,106.00. One of the 9 students had been added through a variation in May.

The Oakwood contract covering 35 students was executed on 16 July 2019 for a total service fee of \$353,642.77 (subject to variation such as the School Council requires the Contractor to provide the Services in respect of Additional Students). The contract has a service commencement date of February 5th 2019 and a completion date of November 30th 2019. The Service Fee calculation specified on page 8 of the contract is to be based on 100% of the Stages of Learning Funding, 100% of the MIPs funding 100% of the Band funding, 100% of the disabilities funding. Schedule 2 however (pages 32-33), indicates a payment of 95% of Stages of learning funding which is \$8475.90 (the same amount of stages of learning funding received per student from Keysborough). Two students have disability funding of \$17,106.00 and \$27,003 respectively, learning support is provided by Skillinvest through an education support worker. Funding per student from Oakwood varies from



between \$8,800.69 to \$9,137.69 up to \$35,803.69 for one of the students with disability funding.

It is not known whether the amount specified constitutes 95% of Stages of Learning Funding in 2019.

Management advised that the contracts usually have to be drafted by Skillinvest as the schools are tardy with both drafting and signing the contracts. The majority of the funding (75%) was scheduled for payment by 18 July 2019.

Management describe the cohort as disengaged from education, from low socio-economic disadvantaged backgrounds and generally facing a range of other challenges in their lives. A high proportion of students are from culturally and linguistically diverse (CALD) backgrounds, particularly from the Pacific islands.

Students can be homeless, arrive for class affected by drugs or alcohol, suffering from trauma, family violence, teenage pregnancy or under the attention of the police. One student has just come from Parkville Youth Justice Centre, another student is a refugee who is virtually studying by distance as he works to support his family.

The focus of Skillinvest is on providing a safe place for students and to provide support to engage and continue with their studies.

Executive summary

This report is structured around the standards outlined in the Guidelines for non-school senior secondary providers: Minimum standards for registration to provide an accredited senior secondary course. The standards are used as a framework to present the outcomes and findings of the review. The compliance or otherwise of the providers with each standard at the time of the review is summarised in the following table.

Detailed findings relating to any non-compliant standards are documented under the relevant standard.

A separate initial assessment has been undertaken by the VRQA by desk audit of other evidence requirements. Some of the evidence submitted was discussed as part of the site audit and further evidence in some cases was requested by Lynn Glover in the letter dated 25 July 2019.

Grant Thornton Australia Limited (GTAL) undertook a Financial Viability Assessment of Skillinvest Limited which included evidence related to Governance and Probity. The site audit did not consider any evidence relating to management of finances and the legal entity Skillinvest Limited.

Prescribed minimum standard	Compliance outcome ¹	Summary of non-compliances
1. Principles	Not assessed	
2. Student learning outcomes*	Not assessed	
3. Student welfare	Non-compliant	Child safe standards Duty of Care to children under 18 years Bullying and harassment, including cyber bullying policy and procedures Managing complaints or grievances Ensuring all staff understand Mandatory Reporting, Failure to Disclose offence, Failure to Protect Offence Policy and procedures for distributing medicine Internet use policy and procedures Critical Incident Plan How Skillinvest communicates policies and procedures on the care, safety and welfare of students to parents and guardians
4. Student records and results*	Non-compliant	Monitoring and analysis of student results Policies and procedures to maintain the integrity accuracy and currency of student records Allow students to check personal details about them which are stored on the VCAA database
5. Teaching and learning*	Compliant	
6. Governance and probity	Non-compliant	The governance of Skillinvest is not currently structured to enable the effective management of

¹ *Compliant* – The evidence provided by the provider meets the minimum evidentiary requirements and/or demonstrates compliance with the standard.

Non-Compliant – The provider has not met the minimum evidentiary requirements for the standard and/or has not demonstrated compliance with the Standard.

Not assessed – This standard was not assessed as part of this review visit.

In reference to evidence requirements, note that:

- 'NA' signifies the requirement is not applicable to this provider
- some requirements may not be assessed by the reviewers as part of this review. In this case, the outcome section may indicate the relevant assessor (for example VCAA) or that the requirement was 'not assessed'.

	<p>the students enrolled in the course</p> <p>Policies and procedures do not include appropriate provision for the management of students</p> <p>Suitable arrangements are not in place to enable Skillinvest to comply with relevant guidelines issued by the Authority</p>
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*Some or all of these standards are assessed by the Victorian Curriculum and Assessment Authority (VCAA), which is the Victorian Certificate of Education (VCE) and the Victorian Certificate of Applied Learning (VCAL) awarding body.

Prescribed minimum standards

Standard 1: Principles		Finding
<p>The programs and teaching of a senior secondary education provider must support and promote the principles and practice of Australian democracy, including a commitment to:</p> <ul style="list-style-type: none"> • elected government • the rule of law • equal rights for all before the law • freedom of religion • freedom of speech and association • the values of openness and tolerance. <p>- Education and Training Reform Regulations 2017, Sch. 8 clause 1</p>		Not assessed
Evidence required to demonstrate compliance		
<p>1. A statement affirming the provider's adherence to the principles and practice of Australian democracy, included in the provider's constitution, prospectus, handbook or policies.</p>		<input type="checkbox"/> Compliant
Assessment summary		
Evidence considered	<p>The provider provided the following evidence:</p> <ul style="list-style-type: none"> • 	
Assessment of compliance	NOT ASSESSED AS PART OF THE SITE AUDIT	

Standard 2: Student learning outcomes**Finding**

A senior secondary education provider that provides, or proposes to provide, an accredited senior secondary course must:

- deliver the course to the standards established by the awarding body for the qualification/course; and
- ensure that a student who satisfactorily completes all the course requirements is entitled to be awarded the registered qualification/course.

- Education and Training Reform Regulations 2017, Sch. 8 clause 2

Not assessed

Evidence required to demonstrate compliance

1. A sample student learning sequence or plan for the accredited qualification.

VCAA assessment

2. Procedures and documentation to indicate that staff and students have been provided with current and accurate information about VCAA standards and requirements including course standards, timelines, qualification requirements and the current VCAA, VCE and VCAL Administrative Handbook.

VCAA assessment

External provider—if part or all of the course is delivered by another registered provider, there must be:

3. a written agreement that sets out how the requirements of the student learning outcomes standard will be met (also see standards 3–6).

☐ Compliant

☒ NA

Assessment summary

Evidence considered

The provider provided the following evidence:

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Assessment of compliance

NOT ASSESSED AS PART OF THE SITE AUDIT

Standard 3: Student welfare

Finding

A senior secondary education provider must have policies and procedures in place that are consistent with any relevant legislation to ensure the care, safety and welfare of students and the provision of opportunities for students with special needs to access the course.

Non-compliant

If two or more senior secondary education providers share the responsibility for providing an accredited senior secondary course or its components to a student, each of those providers must have procedures in place to identify and satisfy the legal duties owed to the student while the student attends, travels between or undertakes an excursion with the providers.sI

- Education and Training Reform Regulations 2017, Sch. 8 clause 3

Evidence required to demonstrate compliance

Legislative requirements—policies and procedures that demonstrate the ways in which the provider and any delivery partner/s will exercise compliance with:

1. child safe standards (see 7 below)	<input type="checkbox"/> Compliant
2. the duties of care owed to its students (see 8, 9, 10 and 11 below)	<input type="checkbox"/> Compliant
3. student welfare	<input type="checkbox"/> Compliant
4. bullying and harassment, including cyber bullying	<input type="checkbox"/> Compliant
5. managing complaints or grievances	<input type="checkbox"/> Compliant
6. the provider's obligations under discrimination and equal opportunity legislation, including the duty to make reasonable adjustments for students with disabilities.	<input checked="" type="checkbox"/> Compliant

Student safety—evidence in policies and procedures with respect to:

7. the Child Safe Standards and requirements of the <i>Child Wellbeing and Safety Act 2005</i>	<input type="checkbox"/> Compliant
8. that it owes all students a duty of care to take reasonable measures to protect them from risks of injury that should have been reasonably foreseen	<input checked="" type="checkbox"/> Compliant
9. that it owes a duty to take reasonable care that any student (and other person) on the premises will not be injured or damaged by reason of the state of the premises or of things done or omitted to be done in relation to the state of the premises	<input checked="" type="checkbox"/> Compliant
10. that it owes a duty to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under the care, supervision or authority of the organisation	<input checked="" type="checkbox"/> Compliant
11. that greater measures may need to be taken for younger students or students with disabilities	<input type="checkbox"/> Compliant
12. appropriate arrangements for on-site supervision of students	<input checked="" type="checkbox"/> Compliant
13. appropriate arrangements for supervision of students when engaged in off-site activities	<input type="checkbox"/> Compliant
14. ensuring the safety and welfare of students learning with an external provider	<input checked="" type="checkbox"/> N/A
15. ensuring all staff understand mandatory reporting, and the failure to disclose offence which commenced on 27 October 2014 and the failure to protect offence which commenced on 1 July 2015.	<input type="checkbox"/> Compliant

Student care:

16. arrangements for ill students	<input checked="" type="checkbox"/> Compliant
17. policy and procedures for distributing medicine	<input type="checkbox"/> Compliant
18. current register of staff trained in first aid	<input checked="" type="checkbox"/> Compliant
19. records of student medical conditions and management.	<input checked="" type="checkbox"/> Compliant

Additional evidence:

20. accidents and incident register	<input checked="" type="checkbox"/> Compliant
21. first aid policy and procedures	<input checked="" type="checkbox"/> Compliant
22. internet use policy and procedures	<input type="checkbox"/> Compliant
23. critical incident plan	<input type="checkbox"/> Compliant
24. emergency management plan which must be reviewed at least annually and immediately after any significant incident	<input checked="" type="checkbox"/> Compliant
25. how the provider communicates policies and procedures on the care, safety and welfare of students to staff, students, guardians and parents.	<input type="checkbox"/> Compliant

External provider—if part or all of the course is delivered by another registered provider, there must be:

26. a written agreement that sets out how duty of care responsibilities will be managed. Areas to be covered include the legal responsibility for students who attend the course. These include but are not limited to:	<input type="checkbox"/> Compliant
<ul style="list-style-type: none"> • monitoring of attendance • student welfare matters • Working with Children Checks • travel between providers • participation in excursions (also see standards 3 and 4). 	<input checked="" type="checkbox"/> NA

Assessment summary

Evidence considered	<p>Skillinvest provided the following evidence:</p> <ul style="list-style-type: none"> • Skillinvest Internal Mandatory Report Form TR201 (31.7.19) • Skillinvest Child Safe Internal Mandatory Process TR200 (31.7.19) • Untitled document (1 page) – Sub-headings include: Fair procedures, Privacy, Risk management, Allegations concerns and complaints • Emergency Procedures Manual – Metro Based Facilities • Skillinvest Risk Register (blank template) • OH&S Committee Calendar • OH&S Committee Minutes 23 May 2019 4.15pm • Skillinvest Emergency Fire and Evacuation Procedures October 2018 • Checklists for Mandatory Reporting and Crimes Act • Weekly Timetable Term 3 – Senior • VCAL Attendance Register 2019; VCAL YPEP Int & Snr, VCAL Int 2, VCAL Snr • Skillinvest Accident Register – RTO Students • Skillinvest, Longerenong College Statement of Attainment HLTAID003 Amanda Galea and Dale Gemmell 26/08/2019 • Skillinvest Community VCAL Radius Form • Child Safe Standard 1: Action Plan Template • CVCAL Student Welfare Booklet • CVCAL Student Wellbeing 2019 • CVCAL Code of Conduct Principles and Behaviours • An overview of the Victorian Child Safe Standards • A step by step guide to making a report to Child Protection or Child FIRST • Skillinvest Child Safe Policy and Statement of Commitment Version 2018-01 August 2018, • Skillinvest Child Safe Policy and Statement of Commitment Version 2019-01 August 2019, • What to do when an allegation of child abuse is made Child Safe Standards toolkit: resource six • Certificate of Completion Protecting Children – Mandatory Reporting and other Obligations, Lissa Yates 06/07/2019 • Skillinvest Policy/Document Sign Off Sheet V2019-02-June 2019 • Skillinvest Community VCAL Trainer's Handbook RTO Code 4192
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- Skillinvest Community VCAL Student Information Handbook
- First Aid and Transportation of Injured Workers and Students Policy
- Skillinvest Excursion policy
- Student Wellbeing Privacy and information sharing
- Skillinvest Privacy Policy
- Document No: 13.2.1 injury management flowchart
- Injury, Incident and Near Misses Notification Form
- Skillinvest Information Release Form
- Community VCAL Case Note template
- Referral to Wellbeing Officer template
- CVCAL Incident Report Template
- Asthma Foundation Vic, School Camp and Excursion (Asthma Update Form)
- Confidential Medical Information for Approved Excursions/Camps
- "Unsupervised excursion" form PDS
- Enrolment Pack -Community VCAL Referral Form Issue 1.1 Date 15/02/2017; Letter to Parent/Guardian Request to attend an interview, VCAL Expression of Interest Interview – Skillinvest; VCAL Student enrolment form, Victorian Certificate of Applied Learning Contract 2019, Oakwood School Student Enrolment Information; Campus Skillinvest Community VCAL Program (last updated Sept 2015)
- Discussion with Amanda Galea, Training Manager Metro, Lissa Yates, VCAL & VET coordinator, Anu Sreehari, Compliance and Project Officer on 26 and 27 August

Assessment of compliance

Legislative requirements

The duties of care owed to students

the provider's obligations under discrimination and equal opportunity legislation, including the duty to make reasonable adjustments for students with disabilities

The CVCAL Student Handbook includes information about discrimination and Skillinvest's commitment to providing a safe and respectful teaching and learning environment where bullying, harassment and discrimination is not tolerated. Information is also provided under section 10.6 on Reasonable adjustments although it does not appear contextualized to reflect the cohort of students at Skillinvest. During the tour two student support officers were observed working with students with disabilities in the Intermediate VCAL class. The VCAL coordinator referred to the practice of providing additional time for students with disabilities to complete tasks. It is not known what adjustments might be made for students with physical disabilities aside from the advice in the handbook that a ramp might be installed for a student in a wheelchair. Advice about learning support and adjustments for individual students with disabilities is communicated to VET trainers, although this is not always forthcoming from the referring school.

Student safety

That it owes all students a duty of care to take reasonable measures to protect them from risks of injury that should have been reasonably foreseen

Mitigating risks is considered by Skillinvest's Occupational Health and Safety (OH&S) Committee that works to an annual schedule with tasks allocated in most months such as reviewing Work Safe posters, conducting fire drills, hazard inspections, checking testing and tagging and, fire services (see Standard 5 - Teaching and Learning; facilities and resources).

Minutes of the committee indicate that fire drills were completed in May of this year with the next scheduled for November. The minutes also indicated that fire wardens are to review the fire emergency procedures and recommend improvements. Emergency instructions and notice of an evacuation are conveyed through a telephone based PA system as well as an alarm. Evacuation maps were displayed appropriately and illuminated exit signs were noted during the tour of the facility. Skillinvest's Senior Management meeting minutes (13 August 2019) indicated a call for an independent risk assessment to be undertaken. Quotes were being sourced at the time of the site audit. Protecting students from risk is assessed prior to each excursion (see Arrangements for supervision of students when engaged in off-site activities, below)

The area where students are instructed at Thomas Street houses the records of students' medical conditions and management plans. Instructions for the treatment of injury and management of asthma were displayed in the area. A copy of medical records and management has been duplicated to accompany students if they are going on an excursion; however, a student's medical record has to be sent to the Cheltenham Road site if required (see Records of student medical conditions and management, below). First aid kits were in both locations. The names and photographs of fire/evacuation wardens, nominated first aiders and members of the OH&S Committee were displayed, however the display of first aiders at the Cheltenham Road facility did not have the most current information (see Current register of staff trained in first aid, below). Working with children and police checks are mandatory for all staff.

Protecting students from the risk of non-physical injury is limited by the temporary vacancy of the Welfare Officer position and the lack of a documented, effective and known procedure for critical incidents (assessed in Critical Incident plan, below).

That it owes a duty to take reasonable care that any student (and other person) on the premises will not be injured or damaged by reason of the state of the premises or of things done or omitted to be done in relation to the state of the premises

A tour of both premises revealed no apparent lack of care that would result in a foreseeable injury. All fire services equipment were in survey (April 2019) along with testing and tagging, although retesting is imminent in the hairdressing training facility (due 9 September 2019) and power equipment at Cheltenham Road (due 8 September 2019). Guards were observed on power tools (Cheltenham Road), corridors were clear of obstructions and emergency exits/evacuation maps directed occupants to open areas that were accessible to assembly points. The Essential services register was sighted that contained recent entries. The Cheltenham Road facility did not have a register on site. It was reported that the facility was leased and the owners were in possession of the register. The Class9B certificate issued for the premises in 2011 was issued in the name of Link Employment and Training which was merged with Workco to form Skillinvest Ltd. Skillinvest has now established a duplicate register to keep photocopies of inspection checklists, invoices and the like.

Appropriate arrangements for on-site supervision of students

The Thomas Street facility for students who are enrolled in the VCAL program is locked to outside visitors. Students can access the facility by presenting themselves to the reception staff who then allows access. The door can only be unlocked with a swipe card by staff or from the reception area which is not accessible to visitors. All visitors are required to sign in before being given access to the area. The door is not locked on the inside allowing immediate evacuation if required. Inside the instruction area there is general movement of staff, staff work stations and ready access and visibility to classrooms.

The Cheltenham Road facility is necessarily more open as a workplace for building and construction and, automotive training. It is not located in the central business/shopping precinct as is the Thomas Street facility. The staff area is at the access point in the front of the building where a sign-in book was sighted. The work area for students is very open allowing for clear visibility for staff to observe students. The classrooms in the facility have windows facing the main work area.

Student care

Arrangements for ill students

There is information provided in the trainers handbook that if a participant becomes ill, a parent or guardian is notified and the participant is picked up. The VCAL Student Handbook includes more comprehensive advice to the same effect under 8.2 Sick Students.

Both delivery sites have an area where first aid is administered and includes a portable bed at Cheltenham Road on which an ill student could rest, and a lounge chair at Thomas Street which folds out into a bed.

Additional evidence

accidents and incidents register

A copy of the Skillinvest Accident Register – RTO Students was provided. The register for the majority of Skillinvest's students was complete noting time, location, type of injury and the activity at the time. It includes three entries for VCAL students, none of which are complete. One entry made in February lacked information about the time, location or nature of the injury.

first aid policy and procedures and current register of staff trained in first aid

The Skillinvest First Aid and Transportation of Injured Workers and Students Policy includes a commitment "...to the provision of access to first aid facilities and treatment for all persons suffering injury or illness whilst on our premises." It outlines the acceptable level of first aid training (HLTAID003), duties of first aid officers, requirement to notify emergency contacts and provides for transportation to hospital by ambulance. It is an example of a policy and procedures which applies across the organisation but which recognises the different arrangements that need to be made for students and employees.

First aid kits and Defibrillators were observed in both delivery locations. The names and photographs of nominated first aiders were displayed; however the display of first aiders at the Cheltenham Road facility was the same as Thomas Street rather than showing persons trained in first aid on the site. Evidence of current training in HLTAID003 was provided for Dale Gemmell and Amanda Galea.

Emergency management plan

Skillinvest's Emergency Procedures Manual covers building evacuations, bomb threats, exposure to chemicals and blood, gas leaks, civil disturbance, injury, flood, power failure and suspicious mail and packages. The case of emergencies the procedure outlines that the fire warden, reception or emergency services should be called depending on the nature of the emergency. The contact numbers for reception for both internal and external calls are given as well as the emergency services number. Although the Manual was last revised in February 2019, it was noted that the risk register provided at the site audit was incomplete.

Non-compliance

Student welfare

That greater measures may need to be taken for younger students or students with disabilities

Multiple documents make reference to the 15 to 19 years cohort at Skillinvest and to making arrangements for vulnerable learners and student wellbeing in general (e.g. Trainers Handbook, CVCAL Student Handbook, CVCAL Student Wellbeing, Child Safe documents, Excursion forms). No specific reference was made across the documentation to the particular duty of care that applies to students under 18 years of age who are considered children in law.

Legislative requirements

Bullying and harassment, including cyber bullying

The evidence submitted for the initial desk- based assessment, Community VCAL Induction Booklet with the footer CVCAL Student Handbook 2019, did not include cyberbullying and referred students to persons who were not at the Dandenong site. It also included an inappropriate policy relating to sexual harassment. The Skillinvest Community VCAL Student Information Handbook with the same footer, CVCAL Student Handbook 2019 provided at the site audit includes and defines cyber-bullying and explains harassment accurately. The procedures for dealing with bullying however are vague referring to "an organisation wide approach will be taken to deal with all bullying harassment and discrimination..." and that all complaints of bullying will be taken seriously without providing details of what exactly the student (or staff member) should do. Page 37 of the Community VCAL

Trainers Handbook advises that “All participant take responsibility for their actions and accept the consequences of inappropriate behaviour.”

Managing complaints or grievances

Consistent with the advice in the letter from Lynn Glover dated 25 July the evidence submitted for assessment by initial desk-based assessment was discussed. This included the section on Complaints and grievances in the CVCAL Student handbook which refers students to the Student Complaints and Appeals Policy Document No.TRO28 RTO Policies and Procedures Student Complaints and Appeals Policy date 19/12/2017. There are inconsistencies between the two documents which may lead to confusion for students as to how a complaint will be handled and by whom. The RTO student complaints and appeals policy clearly sets out how to lodge a complaint, the time frames for managing a complaint, roles and responsibilities, provides for fairness and natural justice, includes confidentiality and privacy and, the opportunity for external mediation. It does not advise the student that if he or she is unsatisfied by the process they have a right to contact the VRQA or Victorian Ombudsman. This avenue is available to VCAL students under the Education and Training Reform Act 2006 because Skillinvest is regulated by the VRQA.

Internet use policy and procedures

The CVCAL Student handbook includes section 10.1 Internet Use which explains that students must adhere to the Skillinvest Media Policy. A copy of the Media Policy was not sighted, nor was it explained how students are informed about the Media Policy. Students are asked to sign an Acceptable Use Agreement at the end of the section which refers to use of digital technologies used at school, during school excursions, at camps and extra-curricular activities and at home. As Skillinvest is not a registered school this is inappropriate. The signature section makes reference to actions and consequences for a breach of the Acceptable Use Agreement with the partner school's Student Engagement Policy.

Student safety

Appropriate arrangements for supervision of students when engaged in off-site activities

The VCAL program is conducted four days per week, Monday to Thursday. It is not clear whether parents/guardians are aware that there are no scheduled classes on Fridays and that their child is not required to be in attendance at Skillinvest. It is also not known whether the government schools have been informed of the duration of the program and whether the students are required to be in attendance at the government schools on Fridays. The Standard Community VCAL contract assigns responsibility for care and supervision of the students to Skillinvest (this issue is discussed further under Standards 6 Governance and probity). It would appear from the contracts that Skillinvest may be responsible for the VCAL students care and supervision on Fridays.

The arrangements for excursions have undergone a review in the last six weeks. It was reported that parents/guardians are given a consent form that outlines; the educational purpose of the activity, the arrangements for the supervision of students, the time of departure and arrival, travel and accommodation (if applicable) arrangements, and the cost. The form also asks for any changes to emergency contacts and has a detailed medical form attached to update any changes. The form also notes that a risk assessment for the excursion is available on request. Parents/guardians are also asked to sign a Radius Form due to the fact that Skillinvest doesn't have a canteen or café. The form seeks consent for a child to move within a reasonable distance and no more than 2 kilometres during break times to purchase lunch or snacks and advises that Skillinvest is not responsible for the child during this time. These arrangements should also be reviewed in line with the recent review of excursions to ensure parents are aware when the breaks are occurring and when their child may be expected to be off site and unsupervised.

Prior to the new VCAL co-ordinator commencing an “unsupervised excursion form” has also been in use. This form asks parents/guardians to give permission to complete tasks involving meeting with external stakeholders, organisations and charities without adult supervision related to the Personal Development Skills Strand. The form doesn't provide any information about where exactly these tasks will be undertaken, which organisations the child will be meeting with and when they will be participating. This practice needs to be reviewed in terms of the parents'/guardians' capacity to provide informed consent, the duty of care owed to children under 18, duty of care to prevent abuse of a child and appropriate arrangements for supervision of children when involved in offsite activities.

The Child Safe Standards and requirements of the *Child Wellbeing and Safety Act 2005*

During discussion with management there was agreement that there was too much information and documentation on the child safe standards which could lead to confusion about the policies and procedures to be followed at Skillinvest. For example, the website contains documents providing advice about the implementation of the Child Safe Standards which were produced to provide guidance to organisations about how to put the standards into place.

Skillinvest has endeavoured to meet the requirement to protect children from abuse and it has a stated “zero tolerance of child abuse” by assigning everyone to the role of a mandatory reporter. This misunderstanding of the legislative obligation of a mandatory reporter is discussed below. Whilst this is an attempt to prioritise child safety and raise its profile it has resulted in confusion for staff and management and does not meet legal requirements. Child Safe Standard 1 has not been met as leadership has not been effective in ensuring that the right policies and procedures are in place to protect children from the risk of abuse.

With respect to Child Safe Standard 2 Skillinvest has a Child Safe Policy and a commitment to child safety. Two versions were provided 2018-01 and 2019-01 next review April 2021 which is currently being reviewed by Skillinvest’s solicitors. The second Policy 2019-01 has drifted further away from meeting legislated requirements by introducing the obligation to report to one of the ‘Mandatory Reporters’ as discussed below. Staff are required to read the Child Safe Policy and Statement of Commitment as part of their compliance obligations and record completion on the checklist. See the discussion below regarding failure to protect and failure to disclose which are mentioned in the policy. These matters may be covered in the training module but should be made explicit in Skillinvest’s policy so staff are clear what the policy covers.

Skillinvest has a code of conduct (Standard 3) version 2018-01; however, it is a more general code of conduct for all its workers with the aim of engendering responsible social and ethical behaviour. It acknowledges that it cannot cover every possible situation but in doing so fails to cover the requirements of a code of conduct relating to preventing child abuse. The Code seeks to be inclusive of Aboriginal and Torres Strait islander and people from diverse backgrounds. It does mention behaviour which may compromise professional relationships but does not clearly define appropriate and inappropriate behaviour with children. It is not clear how Skillinvest ensures that its code of conduct is understood by volunteers, children and families.

Skillinvest requires all staff to have a valid Working with Children Check. Details of the WWCC are maintained in a central register which provides a reminder to the staff member when the WWCC is due or renewal. All staff are required to undertake the e-learning module on the Victorian Department of Education and Training website, *Protecting Children – Mandatory Reporting and other Obligations* and keep a copy of their certificate of completion in their personnel file. Skillinvest is compliant with the requirements of Standard 4 but the training is mitigated by the requirement to follow the reporting requirements and procedures introduced by Skillinvest (Standard 5) which are not compliant.

Processes for responding and reporting child abuse are discussed further under mandatory reporting below. Copies of the A4 poster A step-by-step guide to making a report to Child Protection or Child First including Contact numbers were displayed in various locations around both delivery sites. Management and staff were unaware however that the majority of information under Contact Numbers is either not applicable to Skillinvest or is out of date. The Child Safe Policy was discussed at the Senior Management Meeting on 13 August. The Minutes note the request to include the RTO Managers as Mandatory Reporters which reflects a poor understanding of legislated reporting obligations. Skillinvest is not currently complying with all of its legal requirements for reporting to authorities. Further there was no evidence provided to indicate how a child reporting an allegation of child abuse would be supported.

Skillinvest understand situational risks and has put steps in place to remove risks (Standard 6). Entry to the VCAL program at Thomas Street is via Reception (which is staffed) and requires a security code to enter the area. Excursions now include a risk assessment. There are no volunteers involved in delivery of the VCAL. All visitors and contractors are required to sign in at Reception. Students do help out at an aged care facility which was selected on the basis of a relative of a staff member working there. The risk assessment for the unsupervised Soup Kitchen activity was not sighted.

With regard to Standard 7 strategies to promote the participation and empowerment of children it was reported that students in YPEP had recently had a program on Health Relationships run by Anglicare. A copy of the handout was provided. Given the cultural and linguistic diversity of Skillinvest’s VCAL students, staff agreed that students did not

have information about child safety that is accessible to them, and they need to be actively involved in strategies to address child safety and abuse in culturally safe ways which was not happening at present.

Ensuring all staff understand mandatory reporting and, the failure to disclose offence and the failure to protect offence

In the documentation supplied during the site audit, references to the Children, Youth and Families Act were not evident and the definition of mandatory reporters and their responsibilities were confused or incorrect. The Skillinvest Child Safe Internal Mandatory Reporting Process (TR200, page 1) states that 'Skillinvest has appointed specific staff members as the persons responsible for lodging the mandatory report to the external body'. The 'mandatory reporters' are: the General Manager, the RTO Manager, the GTO Manager and the VCAL co-ordinator (VIT registered), only one of whom seems to be mandated by law to make a report. The view that mandatory reporting is initially an internal process is reinforced in the accompanying diagram in which the four reporters nominated by Skillinvest 'assess the situation as needing to be reported'. A decision by the nominated reporters not to report results in; the report form being securely filed and, the following managers meeting to be notified. All people employed by Skillinvest regardless of their position and role are required to undertake the Department of Education training available at <http://www.elearn.com.au/det/protectingchildren/external/>

It was reported that after completing this training all were (erroneously) considered to be mandatory reporters and should follow the process in the TR200 document described above. Skillinvest reporting process document also refers the reader to the web address of the Step by Step Guide where contrary but accurate advice is given in relation to the professions that constitute mandatory reporters. While the reasons for this approach was to have a pervasive understanding of mandatory reporting, on questioning staff during the audit about the process there was evident confusion over the responsibility to make a report.

There was no indication in Skillinvest's procedures that a report must be made on each occasion a belief has been formed, to make a report as soon as practical, to make a report if there was disagreement about the need to, and to follow up to ensure a report has been made when another person has made the report.

The Child Safe Policy gives accurate information about failure to disclose a sexual offence committed by an adult with a child under the age of 16 and that it must be reported to the police. It does not include making the report as soon as practicable, definitions or examples of what may constitute 'reasonable belief', 'reasonable excuse', or 'grooming'. Although the policy makes clear that the organisation is committed to child safety it does not specifically or adequately explain that any person who is in a position of authority has a legal requirement to act in order to protect a child who is at 'substantial risk' by putting in place procedures to remove the risk. Immediately after this part of the policy there is a stated requirement that 'all staff must comply with their duties by reporting the incident to one of the (four Skillinvest nominated) mandatory reporters'. There was also no explanation of a reasonable excuse for not reporting such as fear for the safety of any person,

Critical incident plan

A critical Incident procedure is located in the Emergency Procedures Manual Metro Based Facilities document. The document shows a conflation of the notions of emergencies and critical incidents. The critical incident procedure section of the manual (page 4, 5) gives a definition but the subsequent guidelines are brief and concerned with contacting emergency services and notifying reception of the incident. There is no mention of support for those affected by a critical incident or arrangements with outside support agencies, for example following the death of a student or staff member.

Policies and procedures for distributing medicine

The CVCAL Student Handbook section, 8.2 Sick students, includes advice that Skillinvest staff will not distribute any medication to students. "*If taking prescribed medication it is their responsibility to take it at the appropriate time.*" Exceptions include anaphylaxis, asthma and epilepsy when accompanied by the care plan created by the parent/guardian and GP. No procedures exist for securely storing or distributing medication in such instances, although staff advised that a small fridge had been purchased for potential storage. There are no students currently with anaphylaxis. It is not clear how this policy is communicated to parents/guardians so that they are fully informed and provide consent for their child to be responsible and administer his or her own medication. The situation for children as young as 15 and those with intellectual disabilities was also discussed and whether every child in the care of Skillinvest has the capacity to exercise this responsibility.

How the provider communicates policies and procedures on the care, safety and welfare of students to staff, students, guardians and parents

There was evidence of how policies and procedure are communicated to staff, for example, all staff are required to read and comply with the provisions of a range of policies and procedures set out in the Skillinvest Policy/Document sign off sheet. This includes requirements for child safety, OH&S, First Aid and Transportation of Injured students and Risk Management. There was no evidence of how the policies and procedures are communicated to parents/guardians.

Standard 4: Student records and results**Finding**

A senior secondary education provider must have policies and procedures in place:

- to maintain accurate student records and ensure the integrity of student assessments;
- if the provider is not the awarding body, to enable compliance with the requirements of the awarding body for the course with regard to the assessment program and the timely provision of student enrolments and results;
- if the provider is also the awarding body, to deal with the assessment program and the timely provision of student enrolments and results;
- to monitor patterns of student participation and completion rates, and the quality of outcomes of students in the registered senior secondary education qualification/course; and
- to undertake an annual analysis (that is made publicly available) of student participation and completion rates and outcomes.

Non-compliant

A senior secondary education provider must prepare and maintain records of student assessments and comply with appropriate requests to provide copies of a student's records to the student or a person authorised by the student to receive the records.

A senior secondary education provider must have processes in place that comply with the requirements of the awarding body for the course for the accurate and timely issuing of qualifications/course and for the retention, archiving and retrieval of sufficient information about student enrolments and results to enable the re-issue of statements and certificates if required.

- Education and Training Reform Regulations 2017, Sch. 8 clause 4

Evidence required to demonstrate compliance

Policies and procedures for:

1. assessment	VCAA assessment
2. administration of student records (including an archive period of not less than seven years Note: School-assessed coursework, copies of coursework or coursework not returned to students may be destroyed four months after the student is notified of their final result for the unit	VCAA assessment
3. monitoring and analysis of student results (including monitoring and analysis of participation rates, completion rates, student outcomes and access to further education and work after leaving the program). This information needs to be publicly available.	<input type="checkbox"/> Compliant

Procedures that:

4. maintain the integrity, accuracy and currency of student records	<input type="checkbox"/> Compliant
5. allow students to check personal details about them which are stored on the VCAA database	<input type="checkbox"/> Compliant
6. ensure that the personal details of students are held securely to prevent unauthorised access	<input checked="" type="checkbox"/> Compliant
7. allow for the production of eligibility reports for currently enrolled students from VASS (for existing providers)	VCAA assessment
8. demonstrate appropriate learning programs (for new providers).	VCAA assessment

Evidence of:

9. technical hardware to support the use of the VASS.	VCAA assessment
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External providers—if part or all of the course is delivered by another registered provider, there must be:

10. a written agreement that sets out how the requirements of the student records and results standard will be met (also see standards 1, 2 and 4).	<input type="checkbox"/> Compliant
	<input checked="" type="checkbox"/> NA

Assessment summary

Evidence considered	<p>Skillinvest provided the following evidence:</p> <ul style="list-style-type: none">• Skillinvest Privacy Policy• Skillinvest – VCAL Integrity of Records & Results• Skillinvest (TOID 4192) VCAL Completion & Outcome Statistics – 2016 to 2018• Skillinvest Community VCAL Student Information Handbook (no version number or date)• Skillinvest Community VCAL Trainer's Handbook RTO Code 4192 Issue 2.3 Date 26/06/2019• Tour of the facilities at 290 Thomas Street Dandenong on 26 August and 89 Cheltenham Road Dandenong on 27 August• Discussion with Dale Gemmell, General Manager Metro Amanda Galea, Training Manager Metro, Lissa Yates, VCAL & VET coordinator, Anu Sreehari, Compliance and Project Officer on 26 and 27 August
Assessment of compliance	<p><u>Ensure that the personal details of students are held securely to prevent unauthorised access</u></p> <p>During the tour of the Thomas Street site students' records were sighted in locked filing cabinets in the teachers' staff room. Only the VCAL co-ordinator and Training Manager have keys to the filing cabinets. If a student completes an enrolment form for VET at the Cheltenham Road site the form is transported to Thomas Street for secure storage.</p>

Non-compliance

monitoring and analysis of student results (including monitoring and analysis of participation rates, completion rates, student outcomes and access to further education and work after leaving the program). This information needs to be publicly available.

This information had not been provided for the initial desk-based assessment and was requested again by letter dated 25 July from Lynn Glover. There was no information publicly available on the Skillinvest website prior to, or during, the site audit. Management indicated that it was a new website and that the information may have been removed. No copies of the existing annual reports for previous years were provided. Management indicated that this information would be available on the respective government school websites as the records are maintained by the schools. However, all teaching, learning and assessment takes place at Skillinvest and management acknowledged Skillinvest's regulatory obligation to make publicly available the analysis of its VCAL student cohort (which is comprised of students enrolled in government schools). During the site visit relevant statistical information was sent by the enrolling schools to Skillinvest. A Skillinvest (TOID 4192) VCAL Completion & Outcome Statistics – 2016 to 2018 was prepared which showed that the VCAL completion rate (including students that were rolled over into a Senior Class despite not having successfully completed intermediate) had declined from 22% in 2016 to 16% in 2018. In contrast the successful outcomes (defined as the student returning to study or successfully gaining employment in the following year) had improved from 44% in 2016 to 52% in 2018. Skillinvest advised that in preparing the data it did not have at hand information pertaining to whether students had withdrawn from the VCAL program as a result of obtaining employment. This could mean that the statistics relating to outcomes may be materially understated since Skillinvest includes gaining employment in its definition of an outcome.

The sources of the data are not included in the report which includes students' names and therefore can't be published in its current form. The Skillinvest VCAL integrity of records and results document provided notes on page 6 that all students are tracked after they have left to determine if they have successfully made the transition from VCAL to further study, employment or return to mainstream school which will be conducted by a phone interview at 3 months, 6 months and 12 months after exit from the course. The data is given to the VASS co-ordinator at the home school. This suggests that Skillinvest will collect the data and provide it to the schools.

The annual Skillinvest Key Performance Indicators reports were available on the website and provide a comprehensive overview and analysis of a wide range of indicators which may include VCAL students VET participation. It is understood that a new tracking document has been developed by the new VCAL co-ordinator which should improve monitoring of students' progress. Management acknowledged the need to undertake a more detailed analysis of VCAL data and use the analysis as part of its senior secondary program evaluation.

maintain the integrity, accuracy and currency of student records

The VCAL integrity of records and results: School name: Skillinvest Ltd (VCAA January 2019) document notes that Skillinvest partners with Keysborough College and Oakwood school to deliver the VCAL qualification. Students will remain enrolled through one of these schools, where they will be enrolled into the VASS (Victorian Assessment Software System). There is a general description of the process for maintain the integrity, accuracy and currency of students records through a print- out being forwarded to the VCAL Co-ordinator at Skillinvest and given to the student for checking. The onus is placed on the student to inform Skillinvest of any changes of address, phone and mobile numbers and email address.

Page 13 of the Community VCAL Student Information Handbook 3.6 Notification of change of personal information advises students that, *“Any other changes to personal data, such as name, emergency contact details, should also be communicated to Skillinvest as soon as possible. This will then be altered on the student data base.”*

In practice the Skillinvest VCAL co-ordinator receives a copy of the student’s “VASS print-out” from the student’s home school (Oakwood or Keysborough) as an attachment to an email and has to check the details with the student. The student makes any amendments on the print out which is then scanned back to the Home school. The home school has to enter the amendments and send the updated student record “VASS print out” by email to the Skillinvest Coordinator to check again and have the student check and sign the final version (assuming the amendments were correctly entered). This procedure is both time consuming, inefficient and prone to error. It is also allowing students personal details to be exchanged outside the secure VASS environment which may impact privacy. There was no documented procedure at Skillinvest to describe how frequently student records are checked to ensure accuracy and currency.

allow students to check personal details about them which are stored on the VCAA database

There was no evidence provided of advice to students that they can access their personal details on the VCAA data base (VASS) or the process to be followed to make a request such as when, how and to whom they should make the request. The fact that personal details would need to be transmitted in the form of a print out which is attached to an email backwards and forwards between the home school and Skillinvest personnel may pose a risk to students’ privacy. The purpose of collecting the information and its disclosure is consistent with the Skillinvest Privacy Policy.

Standard 5: Teaching and learning

Finding

A senior secondary education provider must have:

- qualified and competent staff to teach and assess the course;
- suitable teaching resources and physical facilities to provide the course;
- processes to ensure the consistent application of assessment criteria and practices; and
- processes to oversee the conduct of assessments of the course including processes to conduct investigations and hearings and, if necessary, amend or cancel assessments.

- Education and Training Reform Regulations 2017, Sch. 8 clause 5

Finding

Compliant

Evidence required to demonstrate compliance

Teacher qualifications—evidence for non-VET VCE teachers:

1. qualifications, Victorian Institute of Teaching (VIT) registration and other relevant information showing that teachers meet the requirements for the delivery and/or assessment of the qualification	<input checked="" type="checkbox"/> Compliant
2. for VCAL and VET teachers, in the form of qualifications and other relevant information showing that teachers meet the Australian Quality Training Framework (AQTF) requirements for the delivery and/or assessment of the qualification	<input checked="" type="checkbox"/> Compliant
3. policies and procedures regarding screening, supervision, training and other human resources practices that comply with standard 4 of the child safe standards [Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel]	<input checked="" type="checkbox"/> Compliant
4. There must be evidence in the form of policy and procedures for the supervision of non-registered staff and volunteers	<input checked="" type="checkbox"/> Compliant
5. There must be a designated person responsible for ensuring overall compliance with the principles and requirements of the accredited senior secondary qualification	<input checked="" type="checkbox"/> Compliant

Facilities and resources:

6. access to physical facilities which meet Australian building code standards and regulations as well as occupational health and safety requirements	<input checked="" type="checkbox"/> Provided
7. physical facilities which are suitable for the delivery of the specific VCE and/or VCAL courses to be provided. This may include, for example, facilities in which to conduct practical work in biology, chemistry, physics, dance, food technology or physical education	VCAA assessment
8. adequate learning resources such as equipment for the courses intended for delivery to ensure that delivery meets all requirements for resources and facilities.	VCAA assessment

Assessment:

9. procedures for the fair, valid and reliable application of internal assessments	VCAA assessment
10. teaching and learning programs that use the relevant VCAA curriculum and assessment documents as the source of the content and are in accordance with the currently accredited qualification	VCAA assessment
11. written advice to staff and students which provides comprehensive course advice, including VCAA assessment rules and responsibilities	VCAA assessment
12. procedures for establishing and applying decisions about satisfactory completion and delay of satisfactory completion across the course consistent with VCAA Guidelines	VCAA assessment
13. policies and procedures which ensure the integrity and authentication of assessments and their compliance with VCAA requirements and administrative guidelines	VCAA assessment
14. documents available to staff to help ensure that they are able to meet course and	VCAA

assessment requirements, including administrative arrangements	assessment
15. procedures to identify students who require special provision and, where relevant, to enable consistent and fair decisions to be made about appropriate assistance for these students	VCAA assessment
16. policies and procedures to ensure that the provider meets all other requirements in the current VCAA, VCE and VCAL Administrative Handbook, as applicable	VCAA assessment
17. policies and procedures for any workplace learning arrangements consistent with current VCAA, VCE and VCAL Administrative Handbook and current Ministerial Orders (available at www.education.vic.gov.au/training/providers/rto/Pages/workplacelearn.aspx).	VCAA assessment
External providers—if part or all of the course is delivered by another registered provider, there must be:	
18. a written agreement that sets out how the requirements of the teaching and learning standard will be met (also see standards 1–3).	<input type="checkbox"/> Compliant
	<input checked="" type="checkbox"/> NA

Assessment summary

Evidence considered	<p>Skillinvest provided the following evidence:</p> <ul style="list-style-type: none"> • VCAL Staffing- 2019 • Tour of the facilities at 290 Thomas Street Dandenong on 26 August and 89 Cheltenham Road Dandenong on 27 August • Discussion with Dale Gemmell, General Manager Metro, Amanda Galea, Training Manager Metro, Lissa Yates, VCAL & VET coordinator, Anu Sreehari, Compliance and Project Officer on 26 and 27 August • Skillinvest Limited Child Safe Policy and Statement of Commitment • Skillinvest Community VCAL Trainer's Handbook RTO Code 4192 Issue 2.3 26/06/2019 • Emergency Procedures Manual – Metro Based Facilities • Skillinvest Risk Register (blank template) • OH&S Committee Calendar • OH&S Committee Minutes 23 May 2019 4.15pm • Skillinvest Emergency Fire and Evacuation Procedures October 2018 • Inform Building Permits, Occupancy Permit Link Employment and Training 3 February 2011 (89 Cheltenham Road) • Inform Building Permits, Occupancy Permit, (290 Thomas Street Dandenong) 9b includes Essential Safety Measures 7 September 2017 • Discussion with Dale Gemmell, General Manager Metro, Amanda Galea, Training Manager Metro, Lissa Yates, VCAL & VET coordinator, Anu Sreehari, Compliance and Project Officer on 26 and 27 August
Assessment of compliance	<p><u>Victorian Institute of Teaching (VIT) registration and other relevant information showing that teachers meet the requirements for the delivery and/or assessment of the qualification</u></p> <p><u>Qualifications for VCAL and VET teachers, in the form of qualifications and other relevant information showing that teachers meet the Australian Quality Training Framework (AQTF) requirements for the delivery and/or assessment of the qualification</u></p> <p><u>Teacher qualifications—evidence for non-VET VCE teachers</u></p> <p>Since the submission of evidence for the initial desk-based assessment Skillinvest has experienced a significant turnover of staff. The VCAL Staffing 2019 list provided showed that eight staff out of fourteen had left for various reasons since March. The Cranbourne YPEP program had ceased due to low numbers. Evidence was provided to demonstrate that the new VCAL coordinator, Lissa Yates is VIT registered, Michael Butson the new Senior VCAL teacher (who also teaches Sport and Rec) has VET qualifications and is provisionally VIT registered with a Bachelor of Sport and Recreation Management and a Master of Sports Business and Integrity. Amanda Galea who may be called upon to help out has Certificate IV TAE 40110 and a Diploma of VET 21697VIC. Virginia Craig who is working on a CRT bases and helps out with the YPEP program completed the required units as part of the TAE40110 Cert IV in October 2016. Benny Vatikani, education support officer is currently undertaking his TAE.</p>

policies and procedures regarding screening, supervision, training and other human resources practices that comply with standard 4 of the child safe standards

All staff at Skillinvest (new and existing) are required to have a Working with Children Check. The WWCC number and expiry date is maintained in a central register in a data base which provides a notification of the requirement to renew the WWCC. A photocopy of the WWCC (or evidence of VIT registration) was sighted on the VCAL staff files listed above. A current police record check and referee checks are also required for recruitment. The Skillinvest Code of Conduct requires staff and contractors to immediately disclose any behaviour that has resulted in police involvement to their Manager.

There must be evidence in the form of policy and procedures for the supervision of non-registered staff and volunteers

The VCAL Trainers Handbook advises that at all times Staff/Volunteers qualified or unqualified will hold a current WWCC. Where unqualified staff/volunteers are present, at all times at least one suitably qualified staff member should be in attendance to provide supervision. There are no volunteers involved in the VCAL program. The two education support officers in the intermediate VCAL class were under the supervision of the qualified trainer at the time of the site visit.

There must be a designated person responsible for ensuring overall compliance with the principles and requirements of the accredited senior secondary qualification

Lissa Yates is the designated person responsible for ensuring overall compliance with the principles and requirements of the accredited senior secondary qualification. Lissa is assisted in this role by Anusuya Sreehari regarding adherence to compliance requirements.

Facilities and resources

access to physical facilities which meet Australian building code standards and regulations as well as occupational health and safety requirements

Evidence in the form of occupancy certificates and building use classification 9B was provided for both delivery sites used by the VCAL program on the Ground Floor of Thomas Street (issued to Skillinvest) and for Cheltenham Road (issued to Link Employment and Training).

During the tour of the two sites there were no occupational health and safety issues evident. Thomas Street corridors were clear of obstructions, staircases had slip strips, toilets were clean, drinking water was provided for students, testing and tagging was up to date (see also Duty of care re. the state of the premises and, Duty of care to protect from risks of injury under Standard 3).

Standard 6: Governance and probity**Finding**

The governance and management of a senior secondary provider must be structured to enable the provider to effectively manage:

- the finances of the provider;
- the physical environment of each place where the course is offered by the provider;
- the staff of the provider; and
- the students enrolled in the course offered by the provider.

A senior secondary education provider must ensure suitable arrangements are in place:

- to enable the provider to respond to and supply any information requested by the Authority in regards to matters listed in section 4.3.11(2) of the Act;
- to enable the provider to comply with any relevant guidelines issued by the Authority under section 4.3.11(3) of the Act; and
- to enable the Authority to conduct an audit on the operation of the person, body or school in relation to the minimum standards.

The provider must be authorised by: (this section has been paraphrased)

- the Victorian Curriculum and Assessment Authority to deliver courses leading to the Victorian Certificate of Education and/or the Victorian Certificate of Applied Learning; and
- must comply with the conditions relating to that authorisation

A senior secondary education provider must not provide instruction in an accredited senior secondary course at a school unless it is a registered school.

- Education and Training Reform Regulations 2017, Sch. 8 clause 6

Non-compliant

Evidence required to demonstrate compliance

Evidence in the form of:

1. policies and procedures that include appropriate provisions for the management of finances, physical environment, staff and students	<input type="checkbox"/> Compliant
	<input type="checkbox"/> NA
2. the policies and procedures for the effective management of staff and students will include appropriate enrolment agreements with students and employment agreements with staff	<input type="checkbox"/> Compliant
	<input type="checkbox"/> NA
3. an outline of the governing body's structure, membership, meeting requirements, voting rights and rules governing meetings	<input type="checkbox"/> Compliant
	<input type="checkbox"/> NA
4. policies relating to the operation, professional development, review and induction of any governing body and its members	<input type="checkbox"/> Compliant
	<input checked="" type="checkbox"/> NA
5. a governance charter outlining the key functions and responsibilities of senior managers and the board of management	<input type="checkbox"/> Compliant
	<input checked="" type="checkbox"/> NA
6. enrolment estimates	<input type="checkbox"/> Compliant
	<input checked="" type="checkbox"/> NA
7. a business plan, including three year financial projections certified by a qualified accountant	<input type="checkbox"/> Compliant
	<input checked="" type="checkbox"/> NA
8. the rental/leasing arrangements of each delivery site, including council approval (where required)	<input type="checkbox"/> Compliant
	<input checked="" type="checkbox"/> NA
9. policy and procedures that the VRQA will be notified within 10 working days of changes to the name or contact details of the proprietor, principal, or members of the governing body (as the case requires)	<input checked="" type="checkbox"/> Compliant
	<input type="checkbox"/> NA

10. policy and procedures that the VRQA will be notified well in advance of any proposed relocation to ensure the provider can be registered at the new delivery site.	<input checked="" type="checkbox"/> Compliant
	<input type="checkbox"/> NA
11. Policies and procedures to ensure that the provider can comply with any relevant guidelines issued by the VRQA under section 4.3.11 (3) of the Act	<input type="checkbox"/> Compliant
	<input type="checkbox"/> NA

Assessment summary

Evidence considered	<p>Skillinvest provided the following evidence:</p> <ul style="list-style-type: none"> • CVCAL Our Philosophy • CVCAL Trainer Handbook • Student information Handbook • Skillinvest RTO Policies and Procedures • Skillinvest Audit and Risk Committee Terms of Reference • Discussion with Dale Gemmell, General Manager Metro, Amanda Galea, Training Manager Metro, Lissa Yates, VCAL & VET coordinator, Anu Sreehari, Compliance and Project Officer on 26 and 27 August • e-mail from Darren Webster, Monday 25 March 2019 to All Longy; All Regional; All Metro: Subject: changes to Human Resources and General Manager Portfolios • Senior Management Meeting Minutes Wednesday 20th February 2019 • Re-engagement Program (Standard Community VCAL Contract) between School Council of Keysborough Secondary College and Skillinvest • Oakwood/Skillinvest Community VCAL Contract 2019 • Skillinvest VCAL Student Enrolment Form Issue 1.1 • Skillinvest Victorian Certificate of Applied Learning Contract 2019 • Community VCAL Referral Form • Oakwood School Student Enrolment Information, Campus Skillinvest Community VCAL Program
Assessment of compliance	<p>(Grant Thornton Australia Limited (GTAL) undertook an assessment of evidence relating to Governance and Probity as part of the Financial Viability Assessment. The site audit was focused on an assessment of evidence relating to the structure of the governing authority to enable the effective governance and management of students enrolled in the course.)</p> <p><u>policy and procedures that the VRQA will be notified within 10 working days of changes to the name or contact details of the proprietor, principal, or members of the governing body (as the case requires)</u></p> <p><u>policy and procedures that the VRQA will be notified within 10 working days of changes to the name or contact details of the proprietor, principal, or members of the governing body (as the case requires)</u></p> <p>Both of the above notification requirements are included in the Skillinvest RTO Policies and procedures on pages 5 and 6.</p>

Non- compliance

policies and procedures that include appropriate provisions for the management of finances, physical environment, staff and students

the policies and procedures for the effective management of staff and students will include appropriate enrolment agreements with students and employment agreements with staff

an outline of the governing body's structure, membership, meeting requirements, voting rights and rules governing meetings

policies and procedures to ensure that the provider can comply with any relevant guidelines issued by the VRQA under section 4.3.11 (3) of the Act

All VCAL students enrolled with Skillinvest are also enrolled in a government school. Evidence of an enrolment contract for both Skillinvest and Oakwood School was provided. Skillinvest is contracted by government schools to deliver the VCAL to their students. The Standard Community VCAL Contract Obligations of the Contractor section requires Skillinvest to be responsible for the care and supervision of the Students. It was reported by staff that Skillinvest is at times unable to undertake its Services fully because the government school has withheld or failed to provide vital personal information such as a child's medical condition or the nature of his or her disability and the support the student will require. Whether a government school can fully assign its legal duty of care obligations to a third party was not assessed as part of the site audit. Whether Skillinvest can undertake all of its legal obligations as a registered non-school senior secondary education provider to deliver the VCAL if vital personal information about its students is withheld is a matter for consideration.

The non-school senior secondary (VCAL) compliance obligations of Skillinvest are outlined in various documents. Some documents, for example, the 4 page CVCAL Our Philosophy (which is incomplete) have been developed specifically for the VCAL, others such as the Skillinvest Registered Training Organisation Policies and Procedures relate predominantly to the RTO's regulatory obligations, whilst others like the Skillinvest Code of Conduct refer to Skillinvest's corporate wide policies and procedures.

Whilst it is not uncommon for a large company or organization to have centralized HR, OH&S and risk management systems, it has led to some inconsistencies and non-compliance in the delivery and governance of the VCAL. In some instances, this has resulted from applying RTO specific policies to the senior secondary VCAL program or using a policy for students which is intended for employees. For example, advice is provided in CVCAL Our Philosophy about gathering information in relation to a complaint about alleged misconduct with, or abuse of, a young person and refers to a CVCAL Privacy Policy. The Skillinvest Registered Training Organisation Policies and Procedures include advice on Student Selection and Enrolment Procedures (which need to be checked for consistency with the current practice in VCAL) and the Complaints and Appeals Policy (which applies to all students). The CVCAL student handbook refers students to the Complaints and Appeals policy and procedure published on the Skillinvest website which seems to be consistent with the version published in the RTO Policies and Procedures. The same RTO publication on page 5 under Compliance and Legislation and Governance is focused on how Skillinvest will meet its compliance obligations as an RTO. Skillinvest's obligations under the Victorian Education and Training Reform Act 2006 as a registered senior secondary education provider are not made explicit. As acknowledged by management there is currently too much information in multiple documents which has led to confusion, inconsistency and non-compliance.

Notably this legislative obligation is also missing at the highest level of governance from the Skillinvest Audit and Risk Committee Terms of Reference. The Terms of Reference include responsibilities for ensuring compliance with specified standards for Registered Training Organisations, the VET Funding Contract, the 2017 Revised National Standards for Group Training Organisations but not the VRQA Guidelines for non-school senior secondary education providers: minimum standards to provide a senior secondary course.

Dale Gemmell advised that a revised organisational structure has recently been introduced involving a realignment of General Manager's portfolios. He advised that this realigns senior secondary registration (although it is not listed in the portfolio) within the GM Metro role, which is where delivery occurs rather than within the GM Longerong portfolio. The changes took effect from 15 April 2019. Item 6 Skillinvest Structure in the Senior Management Team Minutes provides a record of the discussion and decision made on 20 February and notes that under the pre 15 April structure, *"A challenge has been no-one has overall responsibility for the GTO or RTO"*. RTO compliance will fall under the RTO portfolio in the new arrangements: the minutes are silent on senior secondary.

Senior secondary registration is not evident in the compliance, governance and organizational structure of Skillinvest and has been subsumed within the RTO's compliance framework

If this review is not being undertaken in relation to the provider's application for re-registration, complete Appendices A and B. Add or remove tables as required.

Appendix A—Delivery sites

Delivery site 1—[Name of site]

Address	Street address			
	Suburb/town		Postcode	
Phone				
Contact person	Name			
	Position title			
	Email			
	Phone			
Number of students enrolled				
Course delivery	<input type="checkbox"/> VCAL	<input type="checkbox"/> Foundation	<input type="checkbox"/> Intermediate	<input type="checkbox"/> Senior
	<input type="checkbox"/> VCE			
	VET	List certificates and codes: 12. 13. 14.		

Delivery site 2—[Name of site]

Address	Street address			
	Suburb/town		Postcode	
Phone				
Contact person	Name			
	Position title			
	Email			
	Phone			
Number of students enrolled				
Course delivery	<input type="checkbox"/> VCAL	<input type="checkbox"/> Foundation	<input type="checkbox"/> Intermediate	<input type="checkbox"/> Senior
	<input type="checkbox"/> VCE			
	VET	List certificates and codes: 15. 16. 17.		

Appendix B—External registered providers used by the provider

External provider 1—[Name of site]

Address	Street address			
	Suburb/town		Postcode	
Phone				
Contact person	Name			
	Position title			
	Email			
	Phone			
Number of students enrolled				
Course delivery	<input type="checkbox"/> VCAL	<input type="checkbox"/> Foundation	<input type="checkbox"/> Intermediate	<input type="checkbox"/> Senior
	<input type="checkbox"/> VCE			
	VET	List certificates and codes: 18. 19. 20.		

External provider 2—[Name of site]

Address	Street address			
	Suburb/town		Postcode	
Phone				
Contact person	Name			
	Position title			
	Email			
	Phone			
Number of students enrolled				
Course delivery	<input type="checkbox"/> VCAL	<input type="checkbox"/> Foundation	<input type="checkbox"/> Intermediate	<input type="checkbox"/> Senior
	<input type="checkbox"/> VCE			
	VET	List certificates and codes: 21. 22. 23.		

VCAL coordinator

Address	Street address			
	Suburb/town		Postcode	
Contact person	Name			
	Position title			
	Email			
	Phone			

VCE coordinator (if applicable)



Address	Street address			
	Suburb/town		Postcode	
Contact person	Name			
	Position title			
	Email			
	Phone			