

Explanatory Statement

Standards for VET Regulators made under the *National Vocational Education and Training Regulator Act 2011*

Issued by the authority of the Minister for Tertiary Education, Skills, Jobs and Workplace Relations

Subject: *National Vocational Education and Training Regulator Act 2011*
Standards for VET Regulators

Authority

Subsection 189(1) of the *National Vocational Education and Training Regulator Act 2011* (the Act) provides that the Minister may, by legislative instrument, make standards for VET Regulators, as agreed by the Ministerial Council. Subsection 189(2) of the Act provides that the agreed standards are to be known as the *Standards for VET Regulators*.

In accordance with sections 44 and 54 of the *Legislative Instruments Act 2003*, the *Standards for VET Regulators* (the Standards) are not subject to disallowance or sunset.

Purpose and Operation

The purpose of the Standards is to formally identify, in a legislative instrument, the standards for VET Regulators performing functions under the Act.

The Standards are similar to the existing *Standards for State and Territory Registering Bodies* and *Standards for State and Territory Accrediting Bodies* found in the Australian Quality Training Framework (AQTF) and has adopted parts of the existing AQTF standards for registering bodies and accrediting bodies.

Consultation

Before the Minister made the Standards, the following consultation was undertaken:

- > The Standards were discussed with representatives from each State and Territory at meetings held on 3 March 2011 and 24 May 2011.
- > The Standards were circulated to the Ministerial Council for endorsement which was received on 24 June 2011.

Description of the provisions of the Standards

Part 1—Preliminary

Division 1—Arrangements on commencement

SVR 1: Name of Standards

SVR 1 names the Standards for VET Regulators 2011.

SVR 2: Commencement

SVR 2 provides that the Standards commence on the later of 1 July 2011 or the day after registration on the Federal Register of Legislative Instruments.

SVR 3: Definitions

SVR 3 defines terms used throughout the Standards.

Part 2—Introduction and purpose

SVR 4: Regulatory activities must ensure nationally consistent registration outcomes.

SVR 4 set out requirements to assist with a nationally consistent approach to registration undertaken under the Act.

SVR 5: Regulatory services must meet the needs of industry and clients.

SVR 5 sets out a requirement for a strategy to engage with and act on information provided by industry and clients.

SVR 6: Management systems are responsive to the needs of the VET sector.

SVR 6 sets out requirements that VET Regulators must take into consideration to ensure that the management approach taken by the VET Regulator takes into account the needs of the VET sector and is consistently applied nationally.

SVR 7: Requirements for undertaking registration functions

SVR 7 identifies that auditors, technical advisors and audit teams must meet national competency requirements agreed by the Ministerial Council, or its delegate. It also clarifies that persons making decisions about registration are separate from persons undertaking audit functions.

Part 3 – Standards for accrediting courses

SVR 8: Course accrediting activities ensure nationally consistent outcomes

SVR 8 sets out requirements that the VET Regulator must take into consideration to ensure nationally consistent approach to the accreditation of courses under the Act.

SVR 9: Accreditation services meet the needs of industry and clients

SVR 7 sets out communication requirements to engage with, and act on, information provided by industry, clients and stakeholders.

SVR 10: Management systems are responsive to the needs of the VET sector

SVR 10 sets out requirements that VET Regulators must take into consideration to ensure that the management approach taken by the VET Regulator takes into account the needs of the VET sector and is consistently applied nationally.

SVR 11: Requirements for undertaking accreditation functions

SVR 11 sets out requirements for courses that are to be accredited by the VET Regulator. It also clarifies the minimum knowledge requirements of persons assessing courses seeking accreditation. It clarifies that the person making a decision about the accreditation of a course

is separate from the person assessing the course. It also clarifies the national approach to changes to accredited courses during the VET course accreditation period.

Part 4 – Quality Indicators

Part 4 identifies the quality indicators used to assess performance of a VET Regulator against the SVR.

SVR 12: Consistency

SVR 12 identifies a quality indicator about regulatory and accreditation processes and outcomes that are nationally consistent.

SVR 13: Effectiveness

SVR 13 identifies a quality indicator about effective regulation and accreditation.

SVR 14: Proportionality

SVR 14 identifies a quality indicator about proportionate regulatory processes.

SVR 15: Responsiveness

SVR 15 identifies a quality indicator about responsive regulatory services.

SVR 16: Transparency

SVR 16 identifies a quality indicator about transparent regulatory services and the need for communication by the VET Regulator with affected persons.