

# Policy and Procedure



## Governance and Administration Policy and Procedure

**Version Number:**

1.3

**Endorsed by: CEO**

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### PURPOSE


This policy and procedure provide general guidelines to ensure effective governance and administration arrangements are in place for Benchmark Resources Pty Ltd T/as Benchmark College (BMC), in line with the Standards for Registered Training Organisations (RTOs) 2015, VET Student Loans Act 2016, Smart and Skilled Operating Guidelines and other relevant legislative and regulatory requirements.

### SCOPE

Benchmark College is committed to ensuring internal auditing and feedback processes occur on an ongoing and regular basis and quality measures are implemented regularly to support Continuous Improvement. This policy applies to all governance activities of BMC, including but not limited to CEO, Executive Management, staff, trainers and assessors, and any committees established to oversee the RTO's operations. The Chief Executive Officer will ensure all audits are carried out as per the Quality and Auditing Schedule.

### DEFINITIONS

<b>Executive Management</b>	Academies Australasia Group Limited Board of Directors Chief Executive Officer
<b>Constitution</b>	Set of written rules or an agreement governing the aims of the organisation, how it will be run and how the members will work together.
<b>Governance</b>	The framework of rules, relationships, systems, and processes within and by which authority is exercised and controlled within the RTO
<b>Middle Management</b>	Coordinators - Industry Engagement/ Business Development Manager Student Engagement/ Business Development Manager
<b>Management Team</b>	Finance Manager Compliance Manager Training Manager Business Development Managers
<b>Compliance</b>	Adherence to laws, regulations, guidelines, and specifications relevant to the RTO's operations
<b>Continuous Improvement</b>	Ongoing efforts to improve products, services, or processes over time.
<b>RTO</b>	Registered Training Organisation - An organisation registered by the Australian Skills Quality Authority (ASQA) to deliver vocational education and training (VET) services

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## **POLICY OUTLINE**

The CEO is kept informed of operational issues and improvements via the communication lines of Senior Management staff during formal/informal meetings. This facilitates informed decision-making through a consultative process.

Senior Management has responsibility and authority for the day-to-day management of STA. They are also responsible for the direction of the Middle Management staff. Meetings are held on a regular basis to discuss operational, quality and compliance matters. Discussions and results from these meetings are documented and reported to CEO on a regular basis.


The Middle Management team meet on a weekly basis with Senior Management staff to discuss and report on operational, quality and compliance matters. Discussions and results from these meetings are documented and reported to CEO.

## **POLICY PRINCIPLES**

### ***Cooperation with the VET Regulator***

The CEO is legally responsible for ensuring compliance with the VET regulator. Benchmark cooperates with ASQA:

- By providing accurate and truthful responses to information requests from the ASQA relevant to Benchmark's registration.
- In the conduct of audits and the monitoring of its operations.
- By providing quality indicator data and total VET activity (AVETMISS data).
- By providing information about substantial changes to its operations or any event that would significantly affect Benchmark's ability to comply with these standards within 90 calendar days of the change occurring.
- By providing information about significant changes to its ownership within 90 calendar days of the change occurring.
- By providing an annual declaration on compliance with the Standards for RTOs.
- In the retention, archiving, retrieval and transfer of records.
- By informing ASQA of any third-party agreements via the appropriate notification form within 30 calendar days as well as advising within 30 days of an agreement ending.
- By complying with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.
- By providing any other information as requested in writing by the registering body including any changes to contact details or any changes or events that affect the operation of Benchmark, changes to ownership or legal name, changes to managerial agents and other significant change to its operation.
- By ensuring students pre-pay no more than \$1500 unless a tuition assurance scheme is held (e.g. Tuition Protection Service for international students).
- By ensuring all individuals employed or engaged by the organisation are informed of their obligations under the current standards and kept informed of any changes to legislative and regulatory requirements. This may be conducted via employee induction, informal/formal meetings, emails and training sessions.

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## PROCEDURE AND ACCOUNTABILITY

### ***Compliance with Standard VET Funding Contracts***

The CEO is legally responsible for ensuring compliance with the Department of Employment and Workplace Relations Education (the Department) in relation to VET Funding Contracts and Guidelines to receive government-subsidized funding for the delivery of Skills First training program. This includes but not limited to:

- Providing accurate Student Statistical Reports and other reports or information to the Department about the training services.
- Providing any other information or reports the Department may require from time to time relating to the contract by the time specified by the Department, or if no time is specified, within a reasonable period of time from the Department's request.
- Providing details of any details of any subcontract arrangements entered into prior to the Commencement Date, within 30 days of the Commencement Date and details of any further subcontract arrangement, within 30 days of entering into that arrangement.
- In the event of change in control or other events the Department will be notified by the CEO or authorised delegate via SVTS.

### ***Audits, Reviews and Investigations by the Department***


- The CEO ensures that STA will participate in, assist with, and not prevent or delay any audit, review or investigation. In the CEO's absence, the Deputy Group Managing Director and Group Chief Operating Officer are authorised to assist with any audit, review or investigation.
- The CEO delegates responsibility to relevant staff to implement Management Action Plan (MAP) and provides deadlines, to ensure rectification and confirmation/reporting occurs within the prescribed timeframe.
- The CEO notifies the Department of the MAP and provides supporting documentation via the SVTS within the timeframe provided.

## GOVERNANCE PROCESS & DECISION MAKING

### ***Chief Executive Officer***

The Chief Executive Officer (CEO) ensures compliance with all relevant requirements by:

- delegating responsibility and sufficient authority for day-to-day operations to the Management Team.
- meeting monthly or as required with Executive Management to keep informed of the RTO operations and ensuring minutes of those meetings are taken.
- holding the responsibility for statutory, regulatory and policy compliance that includes ASQA:
  - The VET Quality Framework:
    - The Standards for National VET Regulator (NVR) Registered Training Organisations.
    - The Fit and Proper Persons Requirements.
    - The Financial Viability Risk Assessment Requirements.
    - The Data Provision Requirements.
    - The Australian Qualifications Framework (AQF).
- ensuring that any decision making at the senior management level regarding operations

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is informed by Administrative team and Trainer/Assessors experiences.

- holding appropriate business insurances, business registration and applicable memberships.

***Executive Management***

Executive Management exercises direct control of the business, overseeing governance processes, approving strategic plans and monitoring operational and financial performance. Executive Management develops a strategic plan outlining the RTO's vision, mission, objectives, and key performance indicators (KPIs).

The CEO provides direction to the Management Team to carry out necessary operational functions.

The Executive Management meets monthly and is provided operational reports from the CEO.

The CEO is provided this information from the Management Team including:

- The outcomes of the systematic monitoring and evaluation of the training and assessment strategies and practices.
- Progress on any actions taken to meet quality and compliance improvements.
- Finance matters.
- Ongoing compliance and continuous improvement matters.
- Legislative changes and any applicable impacts.
- Feedback and complaints.
- General Business matters.

Executive Management ensures Benchmark College will act on any opportunities for improvement.

The CEO has responsibility and authority for the day-to-day management of Benchmark College. the CEO is also responsible for the direction of the Management Team and meets on a weekly or as required basis to discuss operational, quality, student and compliance matters.


If an action is required based on the meeting discussion, an action plan with defined timeframes is put in place.

Discussions and results from these meetings are documented by the Management Team and reported to Executive Management.

***Management Team***

The Management Team is responsible for their prospective departments and report to the CEO. They meet on a monthly basis or as required with the CEO to discuss and report on operational, quality, student and compliance matters.

If decisions made lead to process changes or if there are changes in legislation, staff are informed via measures such as employee induction, informal/formal meetings, emails and training sessions run by the Management Team. Staff members have the ability to provide input to these changes.

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Discussions and results from these meetings are documented by the Management Team and are reported to Executive Management.

### ***Open Communication***

All management levels actively seek to facilitate the creation of an environment in which staff, Trainer/Assessors and clients are encouraged to contribute to the continuous improvement in processes and services. This participative method ensures a collaborative process fostering commitment and understanding.

## **COMPLIANCE WITH REGULATORY BODIES**


The CEO is legally responsible for ensuring compliance with ASQA. Benchmark College cooperates with the VET Regulator:

- by providing accurate and truthful responses to information requests from the VET Regulator relevant to Benchmark College's registration.
- in the conduct of audits and the monitoring of its operations.
- by providing quality/performance indicator data.
- by providing information about substantial changes to its operations or any event that would significantly affect the Benchmark College's ability to comply with these standards within 90 calendar days of the change occurring.
- by providing information about significant changes to its ownership within 90 calendar days of the change occurring;
- providing an annual declaration on compliance with the Standards to ASQA.
- in the retention, archiving, retrieval and transfer of records.
- informing ASQA of any third party agreements via the appropriate notification form within 30 calendar days (international market only) as well as advising within 30 days of an agreement ending.
- complying with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.
- providing any other information as requested in writing by the registering body.
- any changes to contact details.
- any changes or events that affect the operation of Benchmark College.
- change to ownership or legal name.
- changes to managerial agents.
- other significant change to its operation.
- Ensure students pre-pay no more than \$1,500
- Ensure all individuals employed or engaged by the organisation are informed of their obligations under the current standards and kept informed of any changes to legislative and regulatory requirements. This may be conducted via employee induction, informal/formal meetings, emails and training sessions.

The CEO is legally responsible for ensuring compliance with the Department of Education (the Department) in relation to funding contracts.

In the event of one or more of the following situations, the CEO or authorised delegate will notify the Department in writing immediately:

- ASQA deems Benchmark College registration to be suspended, withdrawn, cancelled or otherwise ceases.

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- the RTO becomes subject to an Insolvency Event.
- Proposed Change in Control - Benchmark College must obtain the Department's consent to the proposed Change in Control event before the Change in Control occurs.
  - Benchmark College must provide to the Department its notification details of:
    - the Change in Control and when it is to take effect; and
    - any changes to the information submitted through the Skills First Provider Selection Process that will result from the proposed Change in Control.
- Benchmark College will advise the Department 20 Business Days before making such a change or becoming aware that such a change will occur, of any material change to its delivery of any of the courses or qualifications within its Funded Scope from the delivery arrangements set out in the applicable Program Delivery Plan or the most recent applicable notification provided by Benchmark College.
- Significant changes to its ownership, CEO or operations (including its financial viability and any intention or decision to cease operations as a registered training organisation in New South Wales).
- Benchmark College will promptly notify the Department if:
  - any restriction is imposed on Benchmark College's entitlement to offer or deliver government-subsidised training under an Other VET Funding Arrangement, or Benchmark College's entitlement is reduced in scope, whether or not the restriction or reduction affects courses or qualification within the Funded Scope (other than a restriction or reduction that is imposed on a number of registered training organisations and is imposed for reasons not associated with Benchmark College's performance under the Other VET Funding Arrangement); or
  - any Other VET Funding Arrangement Termination Event occurs in relation to Benchmark College or any other registered training organisation that is a member of the Training Provider Group.

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### REFERENCES

Source	Document Title
Internal	Internal Audit Policy and Procedure
	VET Student Loans – Student Entry Procedure
	VET Student Loans Withdrawal and Cancellation Policy and Procedure
	VET Student Loans – Fees Procedures
	Access and Equity Policy
	VET Student Loans – Application, Enrolment & Engagement Procedures
	VET Student Loans Manual for Providers
	Fees and Charges Policy and Procedures
	Refund Policy and Procedure
	Complaints and Appeals Policy and Procedure
External	Standards for Registered Training Organisations (RTOs) 2015 Clause 5, 7.3 and Schedule 6.
	Smart and Skilled Operating Guidelines 2023-2024
	Smart and Skilled Contract Terms and Conditions 2023
	VET Student Loans Act 2016
	VET Student Loans Rules 2016