

POLICY	Compliance with Legislation
RTO 2015 Standards:	Standard 8
MCC Ref:	MCC-1-A 1
Statement	MCC is committed to complying with relevant Commonwealth, State or Territory legislation and regulatory requirements.
Purpose	This procedure exists to ensure we comply with relevant Commonwealth, State or Territory legislation and regulatory requirements.
Principles	MCC ensures staff and students have access to current information about the range of legislation and related regulations relating to the operations of MCC.
Overview	MCC's policies and procedures and practices facilitate compliance with relevant legislation.
Scope	<p>The Policy and Procedure applies to:</p> <ul style="list-style-type: none"> ▪ Reporting and interaction with NVR in accordance with the Standards for Registered Training Organisations (RTOs) 2015. ▪ Staff with responsibilities for planning, delivery and/or leadership of teaching and learning in MCC. ▪ Staff with administrative responsibilities related to teaching, learning, research and specific operational requirements. ▪ All organizational units involved with student experience of teaching, learning and Training Packages, who may, from time to time, seek data and feedback information relating to their service provision. ▪ Corporate services staff. ▪ Compliance with and reporting AQTF Quality Indicator Report to Regulators ▪ Compliance with Standards for Registered Training Organisations (RTOs)2015. ▪ Compliance and reporting of Government Funded and Non-Government Course fee and charges. ▪ Compliance and reporting of Student Statistical Report to Higher Education and Skills Group (HESG) (formerly known as Skills Victoria) via SVTS ▪ Compliance and reporting National Student Outcomes Survey managed by the National Centre for Vocational Education and Research (NCVER). ▪ Compliance and reporting requirement for Victorian Student Number (VSN) ▪ MCC shall notify the regulatory authorities including SVTS immediately of a change in status of the RTO in particular in the case of suspension or cancellation of registration

	<ul style="list-style-type: none"> ▪ Skills Victoria internal audit checklist to be updated on a regular basis and submitted within 6 months of receipt of VET contract ▪ MCC shall ensure that it does not engage, employ, contract or otherwise deal with any Relevant Person that since 1 January 2011 falls under clause 4.4 of VET Funding Contract. ▪ MCC ensures that Third Parties are not used for Marketing, Training, Assessment or Enrollment matters. ▪ MCC shall ensure appropriate accounting processes and controls are implemented and administered in connection with the VET Funding Contract, the Training Services and the Funds. ▪ MCC shall ensure it collects student statistical information in accordance with current AVETMISS student statistical data collection guidelines
Definitions	<p>AQF: Australian Qualifications Framework provides the hierarchy of educational qualifications in Australia. It is administered nationally by the Commonwealth Government Department of Education, Employment and Workplace Relations (DEEWR).</p> <p>DEEWR: Department of Education, Employment and Workplace Relations - responsibility includes Higher Education and research.</p> <p>ASQA means the Australian Skills Quality Authority - Regulatory body for VET education in Australia.</p> <p>NVR means the National VET Regulator</p> <p>RTO means Registered Training Organisation</p> <p>VET means Vocational Education and Training</p> <p>2015 VET Standards means Standards for Registered Training Organisations (RTOs) 2015</p> <p>The Department means The Department of Education (VTG)</p> <p>Relevant Persons means any person or entity as described under 4.4 of the VET Funding Contract</p> <p>AVETMISS means Australian Vocational Education and Training Management Information Statistical Standard</p>

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Action/Method	<p>1.1 The key reference point for a list of Commonwealth legislation and regulatory requirements that relate to our RTO operation is www.comlaw.gov.au .</p> <p>1.2 This information is also available at www.austlii.edu.au with specific reference to State legislation and regulatory requirements that relate to our RTO operation.</p> <p>1.3 All applicable Commonwealth and State specific legislation and regulatory requirements have been embedded in the relevant organizational policies and procedures of MCC.</p> <p>1.4 Commonwealth and State specific legislation and regulatory requirements are included in our Handbooks and other materials (for clients/staff). These handbooks/materials are provided to stakeholders to ensure they are aware of legislation that affects their participation in Vocational Education and Training (VET).</p> <p>1.5 Compliance with legislation policy is reviewed annually (as part of the Internal Audit including Skills Victoria and internal audits performed by other third parties and self imposed audits conducted by Compliance Committee) or on a needs basis (when we are made aware of changes to a particular legislation).</p> <p>1.6 Any changes/updates are to be included in the relevant organizational policies and communicated to stakeholders.</p> <p>1.7 Staff shall confirm, examine and extract data from student enrolment form into SMT and Wisenet (or other compliant software such as Wisenet etc) to satisfy reporting requirements for</p> <ul style="list-style-type: none"> • VSN (Victorian Student Number) • VET Student Statistical Report is updated and submitted to Skills Victoria Department at least monthly in accordance Victorian VET Student Statistical Collection Guidelines • National Student Outcomes Survey (NCVER) • Student Statistical Report to Higher Education and Skills Group (HESG) (formerly known as Skills Victoria) • collect your town of birth, driver’s license number, passport number or Medicare number) or VISA Number (if applicable) and to • Confirming a student Commonwealth “Unique Student Identifier” (USI) from the appropriate government authority, and if not provided by the Student for MCC to apply for a USI for you. • the CEO/RTO Manager and/or COO shall notify the

	<p>regulatory authorities, including SVTS, immediately of a change in status of the RTO in particular in the case of suspension or cancellation of registration by ASQA via email immediately</p> <ul style="list-style-type: none"> • The RTO Manager shall regularly check training.gov.au for updates to Industry Training Packages and packaging rules to ensure that at least 1 nationally accredited qualification remains on MCC’s scope and that Government Funding is available and checked against the SVTS funded courses • The RTO Manager and Compliance Manager shall regularly check (SVTS) website for Contract Notification/Executive Memoranda amendments and promptly circulate to staff for reference. • Quality Indicator Reports are completed periodically and uploaded to the MCC website, and/or student management system (Wisenet) automatically notifies relevant regulators, including ASQA and The Department • MCC is and will remain registered with Victorian Registrations and Qualifications Authority (VRQA) • MCC CEO and or Compliance Officer shall notify The Department by email in the event that the insurance policies are cancelled. • MCC shall ensure it does not engage, contract or otherwise deal with any Relevant Person as defined in clause 4.4 of the VET funding contract. • MCC shall ensure that Third Parties are not used for Marketing, Training or Assessment. • MCC shall ensure appropriate accounting processes and controls are implemented and administered in connection with the VET Funding Contract, the Training Services and the Funds by engaging suitably qualified bookkeepers, accountants and auditors that follow the Australian Accounting Standards. • MCC shall ensure it collects student statistical data in accordance with current AVETMISS Student Statistical Collection Guidelines using a Student Management System which is approved and listed on the NCVET regrocedure
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Procedure	Compliance with Legislation
	<p>If an audit, review or investigation conducted by, or on behalf of, the Department concludes that there has been non-compliance by MCC with this VET Funding Contract, MCC shall do the following</p> <ol style="list-style-type: none"> 1. MCC take all reasonable steps to prevent future instances of the non-compliance that shall include 2. Notifying all staff and other related parties that are effected of the non-compliance 3. MCC shall conduct an immediate internal review pertaining to any findings of non-compliance (auditor's recommendations) and produce a management action plan (MAP) to the department within 21 days 4. Implement the action plan and 5. Compliance Committee shall then review outcomes of implemented action plans and report back that action plan has been implemented to the department within 90 days of the first notice being received <p>RTO Manager/CEO and/ or COO are responsible for ensuring any recommendations by the auditor are to be implemented.</p>
	<p>RTO Manager/CEO and/ or COO are responsible for ensuring all staff and prospective students in our organization will be informed if you are included or not included on the RPL Approved Provider List.</p>
<p>Related Legislation and Regulatory requirements</p>	<ul style="list-style-type: none"> ▪ National Vocational Education and Training Regulator Act 2011 ▪ Standards for Registered Training Organisations (RTOs) 2015 ▪ Australian Quality Training Framework 2010 ▪ Australian Qualifications Framework (AQF) ▪ Privacy Act 1988 ▪ OHS ▪ Equal Opportunity Act 2010 and related guidelines ▪ Anti-discrimination ▪ Unique Student Identifier (USI) ▪ Company Law ▪ Contract Law ▪ Consumer Law ▪ TASA Tax Agents Services Act ▪ ASIC ▪ Corporations Act

	<ul style="list-style-type: none"> ▪ - Charter of Human Rights and Responsibilities Act 2006 (Vic); ▪ - Disability Act 2006; and ▪ - Working With Children Act 2005? ▪ Electronic Transactions (Victoria) Act 2011 ▪ Competition and Consumer Act 2010 ▪ Child Wellbeing and Safety Act 2005
Related Documentation	<ul style="list-style-type: none"> ▪ Course Review Policy ▪ Human Resource Management Policy ▪ Quality Assurance and Continuous Improvement Policy ▪ Staff Performance, Review and Development Policy ▪ Continuous Improvement Business Model ▪ Quality Compliance Register ▪ Quality Management System ▪ Staff Handbook ▪ Student Handbook ▪ MCC Internal Audit Policy & Procedure ▪ Recognition of Prior Learning Policy ▪ VET Funding Contract 2017 and related documentation ▪ Statement of Expectations ▪ Victorian Training Guarantee Compliance Framework ▪ Victorian Training Audit Strategy ▪ Victorian VET Student Statistical Collection Guidelines – 2017

VERSION CONTROL

Review/ amendment history

Policy Approved by: Chief Executive Officer / RTO Manager

Responsible Officer: Chief Executive Officer / RTO Manager

Next Policy Review Date: July 2018

Version	Date	Details
1.0	July 2014	Policy issued (due to change of management)
2.0	Dec 2014	Updated to reflect Standards for Registered Training Organisations (RTOs) 2015
3.0	July 2015	No material change
4.0	July 2016	No material changes
5.0	Jan 2017	Updated to reflect 2017 VET Funding Contract
6.0	June 2017	No material change