

**ASA - Australian Sports Academy Pty Ltd trading as
ASA - Australian Sports Academy Pty Ltd, Australian Football
College, ASC - Australian Sports College**

SRTO DETAILS			
SRTO number	31717		
Address	Cnr Morala Ave / Sports Drive, Runaway Bay		
Contact person	Mr Ahmed Sokarno	Web site	http://www.australiansportsacademy.edu.au
Phone number	1300 656 693	E-mail	admin@australiansportsacademy.edu.au
Student numbers	229 at time of audit		
AUDIT TEAM			
Lead Auditor	Drew Clark	Auditor/s	Robyn Gray
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AUDIT DETAILS			
Audit date/s	9 – 10 August 2012		
Audit outcome on day of audit	Compliant <input type="checkbox"/>	Non-compliant <input checked="" type="checkbox"/>	
Audit outcome following rectification	Compliant <input checked="" type="checkbox"/>	Non-compliant <input type="checkbox"/>	
Other audit notes	It is noted that during the audit the SRTO advised that some improvements had been made to its processes in consultation with departmental representatives. However, these improvements had not been evident within the student files sampled at audit. The auditor advised the SRTO to reference any relevant improvements within its rectification evidence.		
FOCUS OF AUDIT			
Qualification code	Qualifications	Total Students	Delivery site
SRF30206	Certificate III in Fitness	86	Runaway Bay
SRO30106	Certificate III in Sport and Recreation	45	Runaway Bay
SRS30306	Certificate III in Sports (Coaching)	76	Runaway Bay
SIS30710	Certificate III in Sport Coaching	6	Runaway Bay
INTERVIEWEE/S			
Ahmed Sokarno, Chief Executive Officer			
Dean Smoothy, RTO Manager			
Trudy Vesotsky, Communications Officer			
Phillipa Brock, Compliance Officer			
Reece Norris, Head Trainer			

Vocational Education and Training (VET) Pre-Qualified Supplier Agreement

Clause 3.2 The SRTO must:
(c) comply with the AQTF, the Act and all relevant laws in the performance of its obligations under this agreement.

Vocational Education, Training and Employment Act 2000
Vocational Education, Training and Employment Regulation 2000

At time of audit:
 Compliant
 Not Compliant

Following rectification:
 Compliant
 Not Compliant

Training Plans

Y N NA

Signatures of all parties to the agreement (student, employer and SRTO) sighted for all training plans *VETE Act Section 100(1)*

SRTO has taken reasonable steps to ensure each training plan is signed –
 (a) if the training plan is the initial training plan for the apprentice or trainee – before the probationary period for the apprentice or trainee ends; or
 (b) if a training plan for an apprentice or trainee ends because the supervising registered training organisation has been replaced – within 14 days after the replacement day
VETE Act Section 100(2)

SRTO ensures a copy of the signed training plan is given to each apprentice or trainee, and the employer, within 7 days after the parties sign it.
VETE Act Section 101

If changes have been made to training plan, the changed training plan has been signed by all parties to the training plan within 14 days after the parties agree to the change.
Section 18(1) & (2) VETE Regulation

If changes have been made to the training plan, the SRTO ensures a copy of the signed changed training plan is given to each apprentice or trainee, and the employer, within 7 days after the parties sign it.
Section 19 VETE Regulations

Requirements of a training plan for an apprentice or trainee

Y N

Skills Queensland Guideline 15

The purpose of the training plan

The circumstances and process for changing the training plan

The training plan's role in the completion process

Whether training delivery for individual competencies will be in the form of structured training and/or workplace tasks

The responsibilities of each party for the record of the training undertaken in the apprentice's or trainee's training record

The employer's name (including legal name) and contact details

The apprentice's/trainee's name and date of birth

The title of the apprenticeship/traineeship

The SRTO's name (including legal name) and contact details

The planned commencement and completion dates

Training contract type i.e. Full Time, Part Time or School-based

The qualification/statement of attainment title, including level and qualification code

The name of each competency to be achieved, including its unit code

The training plans contains the acknowledgement and undertaking from all parties

Training plans align with training package requirements regarding the selection of units

Individual training plans within student files have been fully developed

Training Records

Y N

SRTO has provided the apprentice or trainee with the appropriate training record to be kept for the apprenticeship or traineeship within 14 days after a training plan is signed by the parties to the training plan. **VETE Regulations Section 20(1)**

Where training is required to be delivered by the employer or the SRTO, the employer or the SRTO has at intervals of not more than 3 months –

(a) required the apprentice or trainee to produce the training record to have the particulars of the training completed by the apprentice or trainee during the interval entered in it; and

(b) kept the record complete, accurate and up-to-date by entering the particulars in it.

Section 20(6) VETE Regulations

Availability of facilities

Y N

The organisation has provided facilities, services, supervision and training required under the training plan for all apprentice and trainee files examined.
VETE Act Section 92

Issuance of Qualification or Statement of Attainment

Y N

The SRTO has within 14 days after receiving the notice mentioned in section 69, given the person who was the apprentice or trainee a statement of attainment detailing the training the person completed under the training plan before it ended.

Section 105(2)

NON-COMPLIANCES:

Training Plans:

Through discussions with the organisation and the examination of student files, the auditor identified the organisation does not have a process in place to substantiate that a signed copy of the training plan has been provided to the employer and student within seven days of being signed.

In addition, the auditor identified a number of student files where the training plan had not been fully signed by all parties. This specific issue relates to the following students identified at audit:

- Blake Murray – training plan has only been signed by the SRTO.
- Dan Augustine, Connor Williams, Brooklyn Fitzgerald, Breannen Walker, Jardine Cowan and Andrew Pye – No training plans sighted on the respective student's file to verify the signature of the employer and/or student.

The organisation advised the current training plan template was generated through the organisation's AVETMISS software package (Job Ready). The auditor advised the organisation that this training plan template did not address the requirements of Guideline 15 - Requirements of a training plan for an apprentice or trainee.

Furthermore, in relation to the training plans sighted within individual student files, the auditor identified the majority of these had not been completed fully to ensure that all necessary information had been captured.

The organisation then advised it was currently in the process of implementing one of two new training plan template versions (Client Training Plan or Qld Apprenticeship/Traineeship Training Plan). In reviewing both these new templates, the auditor identified a number of issues regarding compliance with the abovementioned guideline.

Prior to the completion of the site visit, the organisation provided the auditor with a revised version of the Qld Apprenticeship/Traineeship Training Plan template. A review of this template identified the requirements of Guideline 15 had been sufficiently addressed. However, whilst no rectification would be required in relation to the organisation having a compliant training plan template, the auditor advised non-compliances regarding the implementation of a compliant training plan remained.

Training Package requirements:

The auditor identified a number of instances where the development of individual training plans did not align with training packaging requirements. For example:

- *SRXCAI007B Conduct a Sport and Recreation Program* identifies three (3) pre-requisite units of competency that must be assessed before this unit. The organisation has provided training and assessment for two of these units; however, unit *SRXEMR003A Respond to Emergency Situations* has not been identified within training plans as a required unit of competency. Furthermore, this unit has not been identified within the organisation's documented

Training and Assessment Strategies. Consequently, based on the claims for payment submitted by Australian Sports Academy since 1 July 2011, the auditor has identified that 46 students have completed SRXCAI007B without first achieving the required pre-requisite units of competency.

- *SFRGYM002B Customise gym instructional skills to include specific areas of expertise current in the fitness industry* has ten units of competency nominated as pre-requisites that must be achieved before this unit of competency can be assessed. However, the organisation appears to have clustered the training and assessment for this unit with five its pre-requisite units of competency.
- *SRXGRO001A Facilitate a Group* is identified as having a co-requisite unit of competency that must be assessed concurrently with this unit. However, the auditor identified instances where SXRGRO001A was being assessed as a stand alone unit.

The organisation is advised the appropriate sequencing of units of competency with pre or co-requisite must be clearly identified within individual training plans to ensure training package requirements are being met (planned commencement and completion dates).

Furthermore, the auditor identified significant non-compliances regarding the selection of units of competency for trainees undertaking SRS30306 Certificate III in Sports (Coaching) and who have been hosted to soccer associations. This qualification requires the completion of units of competency from three sections – core, specified stream and general electives. The auditor identified no soccer related units are available within the mandatory specified stream component within SRS30306 Certificate III in Sports (Coaching). This situation is the same within SIS30710 Certificate III in Sport Coaching.

During discussions the organisation acknowledged it has knowingly contravened training package requirements when signing up trainees within Sport Coaching traineeships (SRS30306 and SIS30710) by placing these trainees with soccer associations. The organisation further acknowledged it was aware trainees would not be completing the correct selection of units of competency to achieve the qualification. Furthermore, the auditor believes the units of competency incorrectly substituted by the organisation would not allow the trainees to address the vocational outcome of the traineeship, which is the ability to “observe the performance of athletes to determine the required level of instruction, and planning, conducting and evaluating individualised and team based training programs” within a specific sporting activity (e.g. cricket or basketball).

The organisation provided the auditor with training plans for two students currently enrolled in SIS30710 Certificate III in Sport Coaching (Shelby White & Luke Hilan). Both training plans indicated the trainees are to undertake units *SISSOC301A Perform advanced level of soccer skills* and *SISSOC302A Perform advanced level of soccer tactics and strategies* as substitutes for the specified stream units. A review of these units on training.gov.au (TGA) identified neither unit appears to contain any aspect relating to the student’s ability to undertake a coaching and developmental role within a soccer association.

The auditor identified that all students hosted to soccer associations should in fact have been enrolled into the Sport and Recreation traineeship. It should also be noted the department allocated \$4,170.00 in User Choice funding to SRS30306 Certificate III in Sports (Coaching) and only \$3,550.00 for SRO30106 Certificate III in Sport and Recreation.

Training Records:

The organisation advised the auditor that a copy of the signed training record is obtained as part of the completion process. However, whilst training records were sighted for two completed students (Rebecca Blackwood and Thomas Bradford) the auditor did not sight a training record within all completed trainee files (for example – Tim Haydock and Wanya Enese) to substantiate this process has been consistently implemented.

In addition, the auditor identified, for the two training records sighted, the majority of units of competency had been signed off by the employers on the same date. For example, Rebecca Blackwood commenced her traineeship on 8 June 2011 however all units of competency were signed off by the employer on 30 January 2012.

Consequently, the auditor identified that the organisation does not have a process in place to ensure the training record has been reviewed and updated by all parties at intervals of no greater than three months.

RECTIFICATION REQUIRED:

Training Plans:

The organisation must provide the department with the following evidence:

1. Confirmation a process has been implemented to retain sufficient evidence to support the issuing of a copy of the signed training plan to the employer and trainee;
2. The outcomes from a review into the following students and evidence that training plans have been fully developed and signed by all parties:

- Blake Murray, Dan Augustine, Connor Williams, Brooklyn Fitzgerald, Breannen Walker, Jardine Cowan and Andrew Pye.
3. Confirmation a process has been implemented to ensure all new training plans are being fully developed and all necessary information recorded;
 4. A timeframe against which all current training plans will be reviewed and updated (utilising the Qld Apprenticeship/Traineeship Training Plan version) to ensure all training plans are fully developed and all necessary information recorded.

Training Package requirements:

The organisation must provide the department with the following evidence:

1. The outcomes from a review into Learning and Assessment Strategies for all qualifications listed on the organisation's "Schedule A" to ensure that all relevant pre-requisites and co-requisites have been identified (including information regarding the appropriate sequencing and/or relationships between units of competency) and training and assessment resources incorporated.
2. The outcomes from a review into training plans for all current students enrolled within SRS30306 Certificate III in Sport (Coaching) to ensure that *SRXEMR003A Respond to Emergency Situations* has been correctly incorporated within the qualification requirements **and** addressing for each student:
 - a. the appropriateness of current training plan in accordance with training package requirements
 - b. any actions undertaken by the organisation to rectify training packaging non-compliances
 - c. the information disseminated by the organisation to the affected parties regarding this issue.
3. A process outlining how the organisation is going to address the identified training and assessment gap for all students who have completed *SRXCAI007B Conduct a Sport and Recreation Program* without the required pre-requisite unit of competency.
4. The outcomes from a review into all current students hosted with a soccer association whilst undertaking SRS30306 Certificate III in Sports (Coaching) or SIS30710 Certificate III in Sport Coaching **and** addressing for each student:
 - a. the appropriateness of current training plan in accordance with training package requirements
 - b. any actions undertaken by the organisation to rectify training packaging non-compliances
 - c. the information disseminated by the organisation to the affected parties regarding this issue.

Training Records:

The organisation must provide the department evidence of the implementation of a process to ensure that sufficient records have been retained to substantiate that training records are being reviewed and updated by the organisation at intervals no greater than three months.

RECTIFICATION EVIDENCE RECEIVED – 28 October 2012

Training Plans:

ASA – Australian Sports Academy Pty Ltd provided the department:

- evidence a process has been implemented to retain sufficient evidence to support the issuing of a copy of the signed training plan to the employer and trainee
- evidence the training plans for Jardine Cowan and Brooklyn Fitzgerald have been reviewed and updated to include all necessary information as well as being signed by all parties
- evidence a process has been implemented to ensure all new training plans are being fully developed and all necessary information recorded
- a timetable (which has been accepted by the department) outlining all current training plans will be reviewed and updated to sufficiently address the requirements of Guideline 15 by the end of November 2012.

ASA – Australian Sports Academy Pty Ltd was required to provide evidence training plans had been updated and signed by the relevant parties for the seven trainees named above. An examination of the rectification evidence provided by ASA – Australian Sports Academy Pty Ltd has identified the organisation has only provided evidence of signed training plans for two trainees (Cowan and Fitzgerald). However, no signed training plan has been provided for Blake Murray, Dan Augustine, Connor Williams or Andrew Pye (Breannen Walker has subsequently completed her traineeship).

On 8 November 2012, ASA – Australian Sports Academy Pty Ltd provided the department the signed training plans for Andrew Pye, Connor Williams and Daniel Augustine. The auditor was advised Blake Murray has subsequently cancelled this traineeship.

Training Package requirements:

ASA – Australian Sports Academy Pty Ltd provided the department evidence training and assessment strategies have been reviewed and updated to include specific information regarding pre and co-requisite units of competency.

In relation to the non-compliances regarding the organisation's failure to deliver the required pre-requisite units of competency for *SRXEMR003A Respond to Emergency Situations* and *SRXCAI007B Conduct a Sport and Recreation Program*, ASA – Australian Sports Academy Pty Ltd provided evidence contact has been made with all trainees affected and processes have been implemented to deliver any required additional units of competency.

In relation to the non-compliance regarding the incorrect selection of specialisation units of competency within Certificate III in Coaching, ASA – Australian Sports Academy Pty Ltd provided evidence contact has been made with all trainees affected. The organisation advises processes have been implemented to either transition trainees from Certificate III in Coaching to Certificate III in Sports and Recreation or amend the Certificate III in Coaching training plan to nominate new specialisation units of competency that adhere to training package requirements.

Training Records:

ASA – Australian Sports Academy Pty Ltd provided the department evidence a procedure has been implemented to retain accurate records of when training records are reviewed and updated at intervals of no greater than three months.

ASA – Australian Sports Academy Pty Ltd is now compliant against the requirements of this clause.

Clause 9 Records

Information and material necessary to provide a complete record of training and assessment was sighted at audit including:

Y N

- records of each student's participation in training and assessment for each unit of competency, including records of the commencement of educational content, attendance and progression;
- retained full and complete records of each student's participation to validate withdrawn claims for payment
- evidence that the SRTO has a process in place to capture the employer's verification regarding the on-the-job component
- evidence that the SRTO has consistently retained evidence to support that the on-the-job training component has been achieved for each unit of competency for each participant prior to submission of claims for payment
- evidence supporting the accuracy and validity of data included in reports provided by the Supplier to the department under clause 5 of the VET Pre-qualified SRTO Agreement;
- accurate AVETMISS start and end dates for each student for each unit of competency;
- copy of the qualifications and statements of attainment issued to each student;
- evidence that an Employer Resource Assessment has been undertaken on the apprentice's or trainee's workplace to ensure the range of work, facilities and supervision arrangements are in place;
- evidence that an Education, Training and Employment Schedule has been completed and signed by all parties for each school based apprentice or trainee;
- evidence that the Education, Training and Employment Schedule demonstrates that work and/or training impacts on the apprentice's or trainee's school timetable.

For each unit of competency for each student , the auditor sighted:

Y N

- completed and accurate assessor's marking guide, criteria and observation checklists for the unit of competency; and
- the completed paper-based assessment items for the unit of competency
- implemented and retained the full range of assessment evidence as per assessment master versions for each unit of competency.

NON-COMPLIANCES:

At time of audit:

- Compliant
- Not Compliant

Following rectification:

- Compliant
- Not Compliant

Training Participation:

The organisation provided the auditor a "Student Attendance Record" template that, if used, would provide sufficient evidence to substantiate the delivery of training. However, the majority of student files examined by the auditor contained little or no evidence of training participation undertaken by students.

Furthermore, owing to the lack of training participation evidence, the auditor was unable to substantiate the majority of withdrawn claims for payment.

Assessment Retention:

Through the review of student files, the auditor identified the organisation has not consistently retained the full range of assessment evidence to substantiate the achievement of competencies. Specifically, the auditor identified the organisation's retention of assessment evidence:

- does not align with the range of assessment evidence stated by the organisation within its training and assessment strategies
- does not align with training package requirements specifically in relation to the consistency of performance.

The majority of units of competency from within the SRF04 Fitness Training Package identified assessment had to be conducted over a minimum of three (3) occasions to ensure consistency of performance over the range statements. However, the auditor identified no evidence to support any assessment conducted by the organisation was undertaken in accordance with these training package requirements.

On-the-job Training Component:

In discussions with the auditor, the organisation acknowledged, in the absence of any other formal process, the validation of the on-the-job training component would be through the retention of training records once the traineeship had completed. However, as previously stated, training records were only sighted in a few completed student files.

Furthermore, the organisation acknowledged no system or process was currently in place to validate the on-the-job training component prior to the submission of any claim for payment for students undertaking a traineeship.

In addition, the auditor identified, for the two training records sighted, the majority of units of competency had been signed off by the employers on the same date. For example:

- The training record for Rebecca Blackwood has been signed off by the employer on 30 January 2012 for all units of competency. However, of the 25 units of competency claimed by the organisation, ten were claimed in August and September 2011 – approximately four to five months before the on-the-job training component was validated. A further six units of competency were claimed in October or November 2011 – approximately three or four months before the on-the-job training component validation.
- The training record for Thomas Bradford had been signed by the employer on 5 December 2011. Of the 29 units of competency claimed by the organisation, 22 had been claimed before the on-the-job training component was validated.

The organisation is advised the achievement of the on-the-job training component must be attained for each individual unit of competency prior to the submission of any claim for payment. Furthermore, the organisation is advised instances where this requirement had not been sufficiently addressed within the sample of student files examined will be seen by the department as an "overpayment".

Employer Resources Assessments:

Through discussions with the organisation, the auditor was advised an Employer Resource Assessment process has only recently been implemented (July 2012), as a result of the Training Ombudsman's school-based investigation into the sport and recreation industry. The auditor was advised that this new process is currently being implemented by the organisation for students whose training contract registration was initially suspended as a result of outcomes from the Training Ombudsman's investigation, as well as for new enrolments. Consequently, the auditor was unable to sight any evidence of the organisation conducting an Employer Resource Assessments for any student reviewed.

Furthermore, during the review of student files the auditor identified the selection of units of competency nominated within the following student's training plans appeared to be in clear contradiction with host employer arrangements:

- Thomas Bradford was undertaking SRS30306 Certificate III in Sports (Coaching) and was hosted with Sea Hawks Basketball Association. However, a review of the student's training plan identified that he did not undertake any of the required basketball related specified stream units of competency and instead completed two martial arts related units of competency.
- Rebecca Black was undertaking SRS30306 Certificate III in Sports (Coaching) and was hosted with Beenleigh Netball Association and then Gulliver's Aquatic & Fitness Centre. However, a review of the student's training plan

identified that she completed two martial arts related units of competency which had little or no correlation to the student's employment. Furthermore, the auditor identified there are no netball specified stream units of competency within this qualification.

AVETMISS End Dates:

Owing to the lack of sufficient evidence regarding achievement of on-the-job training components, the auditor was unable to validate the majority of AVETMISS end dates submitted by the organisation when claiming funding. As outlined above, where evidence of the training record had been retained, the auditor identified a number of instances where the organisation has submitted a claim for payment up to five months before the required unit of competency had been fully achieved.

Education, Training and Employment Schedules:

Through the review of student files the auditor identified the following issues regarding completion of the Education, Training and Employment Schedule (ETES) required for all school-based trainees:

- No ETES was sighted on the student files for Breannen Walker, Travis Pula, Trent McDaid and Tori Donovan
- Andrew Deans and Thomas Bradford – ETES sighted and signed by all parties; however, the ETES contained insufficient information to outline how work and/or training relating to the traineeship impacted on the student's school timetable.

RECTIFICATION REQUIRED:

Training Participation:

The organisation must provide the department with evidence that a process has been implemented to ensure the consistent retention of training participation records.

Assessment Retention:

The organisation must provide the department with evidence that a process has been implemented to ensure sufficient assessment evidence will be retained in accordance with the organisation's training and assessment strategies and training package requirements.

In addition, if the organisation is determined to continue the practice of clustering units of competency, the auditor strongly suggests the organisation develop comprehensive mapping guides to demonstrate how training package requirements are being sufficiently addressed.

On-the-job Training Component:

The organisation must provide the department evidence that a process has been implemented to ensure the on-the-job training component/s have been achieved prior to the submission of any future claim for payment.

Employer Resources Assessments:

The organisation must provide the department evidence that an investigation has commenced regarding the review of all current traineeship arrangements to substantiate the appropriateness of the current workplace in relation to facilities, range of work and supervision and must include a timeframe outlining when the review will be completed.

In addition, a review of the organisation's Employer Resources Assessment template identified host employers are being asked to sign a document stating that the host employer "will not terminate employment of an apprentice/trainee..." The auditor advises that the host employer is not a party to the training contract (student and employer) and therefore is not bound by legislative constraints regarding the cancellation or amendment of the training contract. The auditor strongly advises that this section of the Employer Resource Assessment be amended accordingly.

AVETMISS End Dates:

The organisation must provide the department evidence outlining how the organisation will ensure the accuracy of AVETMISS End Dates for all future claim for payment submissions.

Education, Training and Employment Schedules:

The organisation must provide the department with the following:

1. copies of Education, Training and Employment Schedules for Breannen Walker, Travis Pula, Trent McDaid and Tori Donovan, which have been completed and signed by all parties.
2. The outcomes from a review into the development of Education, Training and Employment Schedules for all current school-based trainees to ensure that the schedules are accurately reflecting how training and/or work is impacting on the trainees school timetable.

RECTIFICATION EVIDENCE RECEIVED – 28 October 2012

Training Participation:

ASA – Australian Sports Academy Pty Ltd provided the department evidence a process has been implemented to ensure the consistent retention of all future records supporting training participation.

Assessment Retention:

ASA – Australian Sports Academy Pty Ltd provided the department evidence a process has been implemented to ensure the consistent and full retention of assessment evidence in accordance with the organisation’s training and assessment strategies and training package requirements.

On-the-job Training Component:

ASA – Australian Sports Academy Pty Ltd provided the department evidence a process has been implemented to capture and retain evidence of the on-the-job training component prior to the submission of any future claims for payment.

Employer Resources Assessments:

ASA – Australian Sports Academy Pty Ltd provided the department evidence a process has been commenced for the organisation to undertake a review of all host employer arrangements to validate the legitimacy of hosting arrangements. In addition, the organisation provided the department copies of “Site Visit Checklist” to be used as part of the workplace review to ensure appropriate facilities are available.

However, documentation provided by ASA – Australian Sports Academy Pty Ltd regarding the review does not appear to include information regarding the legitimacy of the workplace in relation to the range of work and supervision. In addition, no timeline has been provided to indicate when this investigation will be completed.

On 8 November 2012, ASA – Australian Sports Academy Pty Ltd provided further rectification evidence to substantiate the employer resource assessments process will address the organisation’s requirement to validate the employer’s capacity regarding range of work, facilities and supervision. In addition, the organisation advised the review into all existing workplaces will be completed by end January 2013. The department acknowledges and accepts the timeframe proposed by ASA – Australian Sports Academy Pty Ltd.

AVETMISS End Dates:

ASA – Australian Sports Academy Pty Ltd provided the department evidence a procedure has been documented to ensure the accurate submission of AVETMISS data including unit of competency end dates into the organisation’s AVETMISS software program.

However, the procedure includes the following incomplete statement:

The end date of the unit of competency is the date that the student has been marked competent by the assessor. This end date is the date to be entered as the unit of competency end date. This date is found on the cover sheet of the assessment located next to the assessor/trainer signature.

The auditor has advised ASA – Australian Sports Academy Pty Ltd that the end date for a unit of competency is the date when the formal assessment has been deemed competent **or** the date the employer workplace supervisor has signed off on the on-the-job training component. Whichever date is the latter is the date to be recorded as the AVETMISS end date in all future claims for payment submitted to the department.

On 8 November 2012, ASA – Australian Sports Academy Pty Ltd provided further rectification evidence to substantiate processes are in place to ensure the accuracy of AVETMISS end dates for all future data submissions.

Education, Training and Employment Schedules:

ASA – Australian Sports Academy Pty Ltd provided the department evidence the Education, Training and Employment Schedules have been completed for the four nominated students. In addition, ASA – Australian Sports Academy Pty Ltd provided evidence of a review currently being conducted on all current school-based trainees to ensure all information is accurately recorded within the Education, Training and Employment Schedules. Should ASA – Australian Sports Academy Pty Ltd be successful in retaining its PQS Agreement, the outcome of rectifications undertaken regarding this non-compliance will be reviewed at the next audit.

ASA – Australian Sports Academy Pty Ltd is now compliant against the requirements of this clause.

Clause 10 Access to premises and records

The SRTO gave the department access to its premises:

Y N

- to inspect and copy information and material related to the Agreement or kept by the Supplier under clause 9.1; and
- to monitor the provision of training and assessment and other VET Services and

At time of audit:

- Compliant
 Not Compliant

- performance of the SRTO's obligations under the Agreement.
- employees and contractors provided full and accurate answers to questions asked by the department in connection with training and assessment, other VET Services and Supplier obligations under the Agreement.

Clause 11 Publicity

In making any public statements in relation to the training and assessment funded under this agreement the SRTO :

Y N N/A

- has referenced the department as the funding source within any public statement
- has not made any misleading public statements including statements to students, employers or other organisations relating to the Agreement or the department

At time of audit:

- Compliant
 Not Compliant
 Not Applicable

Following rectification:

- Compliant
 Not Compliant

NON-COMPLIANCES:

The auditor was advised that the organisation does not produce brochures or any other form of written marketing material for the purpose of advertising its ability to offer traineeship training and that all marketing is undertaken via the organisation's website. A review of the Australian Sports Academy's website identified that the organisation has not included specific statements to acknowledge the source of traineeship funding through the Department of Education, Training and Employment.

RECTIFICATION REQUIRED:

The organisation must provide the department with evidence that all necessary websites have been updated to include reference that the organisation receives User Choice funding from the Department of Education, Training and Employment for the provision of traineeship and/or apprenticeship services in Queensland.

RECTIFICATION EVIDENCE RECEIVED – 28 October 2012

ASA – Australian Sports Academy Pty Ltd provided the department with evidence the organisation's website has been reviewed and updated to include specific reference to the funding received under User Choice arrangements.

ASA – Australian Sports Academy Pty Ltd is now compliant against the requirements of this clause.

Clause 13 Insurance

The organisation provided evidence that for the term of its agreement with the department it:

Y N

- maintained public liability insurance for a minimum of \$10 million arising out of any one event in respect of death, injury, loss, or damage howsoever sustained to or by any person or property;
- maintained professional indemnity insurance and
- maintained workers compensation insurance.

At time of audit:

- Compliant
 Not Compliant

User Choice 2010 – 2015 Policy

Clause 2.4.3 AVETMISS Reporting Requirements.

The SRTO has:

Y N NA

- correctly reported the delivery identifier code specified in AVETMISS for the relevant mode of delivery **Clause 2.4.3.c**
- gathered **sufficient** evidence that competency has been achieved, as expressed by the relevant endorsed industry/enterprise competency standards of a training package or by the learning outcome of an accredited course **AND** confirmed with the employer that the student has consistently demonstrated competent performance in workplace tasks relevant to the unit of competency/module to

At time of audit:

- Compliant
 Not Compliant

Following rectification:

- Compliant
 Not Compliant

support the outcome of the assessment (AVETMISS Outcome Identifier Code 20);
Clause 2.4.3.d

- retained **sufficient** evidence to support that students have attempted all assessments and failed in at least one method (AVETMISS Outcome Identifier Code 30); **Clause 2.4.3.d**
- retained sufficient evidence to support the student's participation in the learning activity prior to withdrawing (AVETMISS Outcome Identifier Code 40); **Clause 2.4.3.d**
- retained sufficient evidence to support recognition of prior learning (AVETMISS Outcome Identifier Code 51); **Clause 2.4.3.d**
- retained sufficient evidence to support that an application for recognition of prior learning was assessed and not approved (AVETMISS Outcome Identifier Code 52); **Clause 2.4.3.d**
- retained sufficient evidence to support recognition of current competencies (AVETMISS Outcome Identifier Code 53); **Clause 2.4.3.d**
- retained sufficient evidence to support that an application for recognition of current competencies was assessed and not approved (AVETMISS Outcome Identifier Code 54); **Clause 2.4.3.d**
- retained sufficient evidence to support credit transfers (AVETMISS Outcome Identifier Code 60); **Clause 2.4.3.d**
- retained sufficient evidence that an induction was conducted and training plan developed prior to the student's training contract being cancelled or the student changing SRTOs (SRT01 Administration Payment); **Clause 2.4.3.d** and
- submitted AVETMISS postcodes that accurately reflect the location in which the majority of training has been undertaken. **Clause 2.4.3.e**

NON-COMPLIANCES:

AVETMISS Outcome '20':

As outlined in Clause 9 of the PQS Agreement, the auditor identified a number of non-compliances regarding the organisation's assessment retention processes and the:

- lack of evidence to substantiate a sufficient range to assessment has been conducted to support competence
- lack of evidence to substantiate the on-the-job training component has been achieved.

AVETMISS Outcome '40':

In relation to withdrawn claims for payment submitted by the organisation, the auditor was unable to substantiate the following claims due to a lack of training participation evidence:

- Todd Barnes (4 units of competency)
- Geoffrey Breene (24 units of competency)
- Andrew Dean (15 units of competency)
- Tamba Gabriel (2 units of competency)
- Zachary Holt (24 units of competency)

AVETMISS Outcome '60':

In relation to the credit transfer AVETMISS data submitted for one student (Thomas Bradford – SRSOGP002A), the auditor did not sight any evidence on the student's file to substantiate the granting of a credit transfer.

RECTIFICATION REQUIRED

AVETMISS Outcome '20':

The organisation is advised that rectification undertaken in relation to Clause 9 regarding limited retention of assessment evidence (formal assessment by the SRT0 and the on-the-job component) will address this non-compliance.

AVETMISS Outcome '40':

The organisation must undertake a review of all AVETMISS '40' withdrawn claims for payment and, where insufficient evidence has been retained to substantiate training participation, remove the related AVETMISS data. The specific students and units of competency are outlined in Attachment 2.

AVETMISS Outcome '60':

The organisation must provide the department with evidence that a process has been implemented to ensure the retention of sufficient evidence to validate any future credit transfers awarded by the organisation.

RECTIFICATION EVIDENCE RECEIVED – 28 October 2012

AVETMISS Outcome '20':

ASA – Australian Sports Academy Pty Ltd provided the department evidence the organisation has sufficiently addressed the non-compliances identified against Clause 9 of the PQS Agreement.

AVETMISS Outcome '40':

ASA – Australian Sports Academy Pty Ltd provided the department with the outcomes from an investigation undertaken into withdrawn claims for payment submitted by the organisation along with advice that all necessary AVETMISS resubmissions have been completed. A review of the department's AVETMISS database (STAC) confirms ASA – Australian Sports Academy Pty Ltd has removed some of the units of competency for the above trainees as well as units of competency for other students not included within the initial audit sample.

However, for the five trainees identified above, where no evidence of training participation was sighted at the audit site visit, the auditor identified ASA – Australian Sports Academy Pty Ltd has not removed all nominated units of competency.

Whilst the organisation was not instructed to provide training participation evidence to support the validity of any withdrawn units of competency, ASA – Australian Sports Academy Pty Ltd is advised these training participation records for the above trainees will be examined at the next audit.

AVETMISS Outcome '60':

ASA – Australian Sports Academy Pty Ltd provided the department with evidence of a process implemented by the organisation to ensure the sufficient retention of evidence to substantiate any future credit transfers reported to the department.

ASA – Australian Sports Academy Pty Ltd is now compliant against the requirements of this clause.

Table 4 – Service provision not funded

The SRTO has:

Y N

- not been funded for delivery of a unit of competency or module through RPL in any instances where this leads to the entire qualification being achieved through RPL;
- complied with all requirements of the Agreement;
- not submitted claims for payment for units in excess of the competency count for the qualification;
- not submitted claims for payment for units of competency previously assessed as competent.

At time of audit:

- Compliant
- Not Compliant

Following rectification:

- Compliant
- Not Compliant

NON-COMPLIANCES:

As outlined within this audit report, a number of significant non-compliances have been identified against the organisation's roles and responsibilities regarding continual compliance with the PQS Agreement. As a result of non-compliances identified against Clauses 3.2 and 9 of the PQS Agreement, the department has determined that payments made to ASA – Australian Sports Academy Pty Ltd, for the sample of student files examined, have been identified as overpayments as defined in Clause 8.1 of the Agreement.

RECTIFICATION REQUIRED:

Rectification actions undertaken by the organisation in relation to the identified non-compliances against Clauses 3.2 and 9 of the PQS Agreement along with the reimbursement of overpayments outlined in Attachment 2 will address this non-compliance.

RECTIFICATION EVIDENCE RECEIVED – 28 October 2012

Sufficient rectification evidence has been provided by ASA – Australian Sports Academy Pty Ltd to address the non-compliances identified within Clauses 3.2 and 9 of the PQS Agreement.

ASA – Australian Sports Academy Pty Ltd is now compliant against the requirements of this clause.

Clause 2.5 Fees and Charges

2.5.1 Student Contribution Fees

- (b) The Supplier provided the participant details of its fees and charges policy, including the student contribution fees and any additional charges as identified in section 2.5.8, its method of collection, refunds, and exemptions and provided access to this written policy to participants prior to their enrolment.
- (c) The SRTO has retained evidence of fees collected as well as evidence of participants who have been deemed totally or partially exempt from the payment of student contribution fees.
- (e) The Supplier has not charged participants more than the student contribution fee contained in the User Choice 2010 - 2015 Policy except as required periodically by the department.

At time of audit:

- Compliant
 Not Compliant

Following rectification:

- Compliant
 Not Compliant

2.5.2 Partial Exemption—Tuition Fees

The SRTO must not charge more than 40 per cent of the student contribution fee where the participant falls into one or more of the following exemption categories:

- (a) The participant was or will be under 17 at the end of February in the year in which the Supplier provides training, and the participant is not at school and has not completed year 12;
- (b) The participant holds a health care card or pensioner card issued under Commonwealth law, or is the partner or a dependant of a person who holds a health care card or pensioner concession card, and is named on the card;
- (c) The participant issues the SRTO with an official form under Commonwealth law confirming that the participant, his or her partner or the person of whom the participant is a dependant, is entitled to concessions under a health care card or pensioner concession card; or
- (d) The participant is an Aboriginal or Torres Strait Islander person. Acceptable evidence is as stated on the Training Contract and AVETMISS VET enrolment form.

2.5.3 Student services for Participants

The Supplier must not charge the participant a separate student services fee as this provision has already been captured in section 2.5.1(a) *Student Contribution Fee* of the User Choice 2010-2015 Policy.

2.5.4 Fee exemption on grounds of extreme hardship or other special circumstances

- (d) Where the participant is a school-based apprentice or trainee, the SRTO must exempt the participant from these fees.

2.5.7 Refund Policy

The Supplier must have a refund policy that meets the requirements of the AQTF. This policy must also include provision for:

- (a) full refunds to participants for student contribution fees charged for training delivery that has not commenced at the time of the cancellation of enrolment;
- (b) proportionate refunds where the participant has withdrawn from a unit of competency/module; and
- (c) refunds to employers/industry for additional charges paid beyond the participant and government contributions.

2.5.8 Additional charges

Student: The SRTO may apply additional charges beyond the student contribution fee only if those additional charges are in accordance with the *Vocational Education, Training and Employment Regulation 2000* (Regulations).

Employer/Industry: The Supplier may seek additional charges from the employer/industry. Any

additional charges must be negotiated up-front and disclosed to the employer/industry prior to the participant's enrolment.

Induction information contains User Choice specific information regarding:

Y N NA

- rate of student contribution fees (*currently \$1.55*);
- partial tuition fee exemption categories (*must not charge more than 40%*);
- full refunds for units not commenced and proportionate refunds for units commenced but not completed;
- any additional fees (i.e. Schedule 1 of the VETE Regulations) to be charged to the participant; and
- any additional fees to be charged to the employer/industry.

The SRTO has:

Y N NA

- charged student contribution fees for all students (excluding SATs and appropriately approved exemptees),
- retained sufficient evidence to support the granting of student contribution tuition fee exemptions;
- not charged any SATs student contribution fees;
- calculated student contribution fees based on the correct number of nominal hours;
- calculated student contribution fees at the correct rates;
- ensured any additional fees charged are in accordance with Schedule 1 of the *Vocational Education, Training and Employment Regulations 2000*;
- calculated partial student contribution fee exemptions at the correct rate;
- retained sufficient evidence to support the provision of full and partial refunds to all parties;
- retained sufficient evidence that additional charges to the participant have been charged in accordance with Schedule 1 of the *Vocational Education, Training and Employment Regulation 2000*; and
- retained sufficient evidence that additional charges to the employer have been negotiated.

NON-COMPLIANCES:

Induction Material:

The organisation provided the auditor with a Student Induction Pack which contained the following documents:

- Student Handbook (V2 – undated)
- Induction Information for Traineeships (V1 – May 2009)
- Enrolment Form (V1.1 – November 2011)
- Fees, Charges and Refund Policy (V1 – July 2012)

A review of these documents identified the following non-compliances:

Student Handbook –

- Refund information contained within this document aligned with AQTF requirements for fee for service training; however, this document contained no reference to User Choice specific requirements for issuing a full or proportionate refund.
- Information regarding Academic misconduct included references to financial penalties. The auditor advised that trainees should not be charged these fees.
- Information regarding the organisation's Assessment Re-sit Procedure included references to financial penalties. The auditor advised that trainees should not be charged these fees.

Induction Information for Traineeships –

- Whilst the information contained within this document is correct, the document contained a number of outdated references to legislation, the department's name, references to the State Training Council and Training Recognition Council and hyperlinks to a number of departmental websites that are no longer active.

Enrolment Form –

- Refund information contained within this document aligned with AQTF requirements for fee for service training; however, this document contained no reference to User Choice specific requirements for issuing a full or proportionate refund.

Fees, Charges and Refund Policy –

- Provides no information regarding the partial exemption percentage for trainees who fall into a partial fee exemption category.
- Provides no specific reference to full refund for units of competency not commenced.
- Incorrectly states that “no refund” is granted for units of competency commenced but not completed at the time of cancellation or change of SRTO.
- References that student contribution fee can be paid by the employer on behalf of the client; however, then states that any fees paid by employer on behalf of participants is not refundable. The auditor advised any partial exemptions or refunds paid by the employer on behalf of the trainee must be refunded to the employer should the trainee cancel their training contract or change SRTOs.
- Includes a reference that no refunds for material costs are provided, which gives the impression that the organisation is incorrectly charging for learning materials.

Student Contribution Fee Charges:

The organisation provided the auditor copies of invoices that have been issued to two full time trainees (Andrew Pye and Sasha Schuller). However, the organisation advised neither trainee has paid their respective fees to date even though the respective invoices are over four months overdue.

Furthermore, the invoice for Sasha Schuller has been calculated incorrectly. Upon request the organisation provided the auditor a copy of the training plan for Sasha Schuller. A review of the training plan in conjunction with the relevant information has identified that the organisation has calculated the student contribution fee based on the nominal qualification hours (601) instead of the nominal hours allocated to the individual units of competency nominated on the student’s training plan (432). The auditor also requested a copy of the training plan for Andrew Pye; however, the organisation has not provided this information to date.

Although at the time of audit the organisation provided a copy of its Fees, Charges and Refund Policy, the auditor has been unable to sight sufficient evidence to substantiate that the organisation has been charging and collecting student contribution fees for any student in accordance with the 2010 – 2015 User Choice Policy.

RECTIFICATION REQUIRED:

Induction Material:

The organisation must provide the department with evidence that all induction material has been reviewed and updated to ensure that accurate information is being provided to students and employers regarding student contribution fees payable under a traineeship or apprenticeship.

Student Contribution Fee Charges:

In relation to the issue regarding student contribution fees not currently being collected, the organisation must provide the department evidence of a process implemented to ensure that all relevant student contribution fees are accurately calculated, charged and collected in accordance with the current 2010 – 2015 User Choice Policy.

RECTIFICATION EVIDENCE RECEIVED – 28 October 2012

ASA – Australian Sports Academy Pty Ltd provided the department with evidence the majority of the organisation’s induction material has been reviewed and updated to address the requirement to provide accurate induction information regarding student contribution fees.

However, it has been identified information contained within the organisation’s student handbook (STU-02) still contains incorrect information regarding the refunding of student contribution fees. The student handbook states:

A refund will be provided for Student Contribution Fees that have been received for training delivery that has not commenced at the time of the cancellation. This will be provided on a unit of competency pro-rata basis. Once a participant has commenced a unit of competency, no refund will be given.

ASA – Australian Sports Academy Pty Ltd has been previously advised a refund of student contribution fees must be provided in the following situations upon the cancellation of a training contract or change of SRTO:

- Full refund if the student has not commenced any training within a unit of competency.
- Proportionate refund if the student has commenced training within a unit of competency but has not attained competence.

On 8 November 2012, ASA – Australian Sports Academy Pty Ltd provided its amended ASA Student Handbook V3, which contains accuracy information regarding the refunding of student contribution fees.

ASA – Australian Sports Academy Pty Ltd is now compliant against the requirements of this clause.