Guidelines

**for Non-school Providers: Minimum Standards for Registration to Provide an Accredited Senior Secondary or Foundation Secondary Course**

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Revisions to the *Guidelines for Non-school Providers: Minimum Standards for Registration to Provide an Accredited Senior Secondary or Foundation Secondary Course* were approved by the VRQA Board on 2 June 2022 and take effect from 1 July 2022.

Contents

[Introduction 4](#_Toc104994954)

[Requirements for registration 5](#_Toc104994955)

[The minimum standards 7](#_Toc104994956)

[Standard 1 – Principles 7](#_Toc104994957)

[Standard 2 – Student learning outcomes 10](#_Toc104994958)

[Standard 3 – Student welfare 11](#_Toc104994959)

[Standard 4 – Student records and results 15](#_Toc104994960)

[Standard 5 – Teaching and learning 17](#_Toc104994961)

[Standard 6 – Governance and probity 20](#_Toc104994962)

Introduction

The Victorian Registration and Qualifications Authority (VRQA) registers providers to deliver the Victorian Certificate of Education (VCE) and/or the Victorian Certificate of Applied Learning (VCAL)[[1]](#footnote-1) in full or single courses in a non-school setting. From 30 June 2022, providers may also apply for registration to deliver the Victorian Pathways Certificate (VPC).

The *Education and Training Reform Act 2006* (the Act) lists the minimum standards that non-school senior secondary and foundation secondary providers (non-school providers) must satisfy to become and remain registered.

Section 4.3.11 of the Act provides that the VRQA must not register a person, body or school as a provider of an accredited senior secondary or foundation secondary course unless the VRQA is satisfied that the person, body or school meets the minimum standards.

These Guidelines deal with the minimum standards that apply to non-school providers offering an accredited senior secondary course such as the VCE or the VCAL or an accredited foundation secondary course such as the VPC.

About the Guidelines

The Guidelines are issued to provide guidance on the information, documents and other evidence the VRQA will require in order for it to be satisfied that a non-school provider meets the minimum standards.

The Guidelines should be used by a non-school provider:

* seeking registration to deliver an accredited senior secondary course
* seeking registration to deliver an accredited foundation secondary course.

They are issued pursuant to section 4.3.11(3) of the Act, which empowers the VRQA to issue guidelines on the minimum standards for registration to offer an accredited senior secondary course or an accredited foundation secondary course and the fit and proper person requirements for those involved in the management of a non-school provider.

The Guidelines will also be used by the VRQA to decide whether to register or re-register a provider and when conducting reviews to determine whether a provider continues to satisfy the minimum standards.

The Guidelines do not detail all the evidence a provider may need to provide to demonstrate compliance with the minimum standards. The VRQA may request evidence that is in addition to or different from that set out in these Guidelines.

References to regulations, Ministerial Orders or provisions of the Act are as at the date of these Guidelines. From time to time there may be amendments to the Ac or the Education and Training Reform Regulations 2017 (ETR Regulations), or the issuing of new Ministerial Orders. It is the responsibility of providers and those applying for registration to ensure they are across any of these changes.

Requirements for registration

The Act requires all providers in Victoria to be registered before they can offer or deliver an accredited senior secondary or foundation secondary course. It is an offence under section 4.7.3 of the Act to provide or to offer to provide a senior secondary or foundation secondary course without being registered by the VRQA.

Applicants seeking registration as a non-school provider, or non-school providers wishing to extend their scope of delivery by adding an additional senior secondary or a foundation secondary course, must first apply to the Victorian Curriculum and Assessment Authority (VCAA) for authorisation.

From 2022, providers can no longer apply to the VCAA for authorisation to deliver the VCAL.

Information on authorisation is available at:

* [www.vcaa.vic.edu.au/administration/schooladministration/authorisation/Pages/index.aspx](http://www.vcaa.vic.edu.au/administration/schooladministration/authorisation/Pages/index.aspx)

Registration is for up to a maximum of 5 years. Providers will need to re-register prior to their expiry date. Registered schools are exempted under section 4.3.12(1A) of the Act from having to apply for re-registration.

Providers offering education to students of compulsory school age (6–17 years)

Under section 4.7.1 of the Act, it is an offence to conduct a school unless the school is registered.

Section 1.1.3 defines a school as a place at or from which education is provided to children of compulsory school age (that is, aged 6–17 years) during normal school hours. Some institutions are excluded from the definition of a school, such as a TAFE institute, a university, an adult education institution such as AMES Australia, and some registered training organisations (RTOs).

This exemption from the definition of a school also includes an education provider that has at least 85% of its students above the compulsory school age and which the Authority is satisfied has been established for the main purpose of providing education or training to students above the compulsory school age listed in regulation 6 (1)(d)(iii) of the ETR Regulations.

Providers offering or seeking to offer an accredited senior secondary or foundation secondary course will need to check whether they should be registered as a school and have to meet the additional requirements for school registration.

Providers offering courses to students from overseas

Providers offering or proposing to offer courses to students from overseas are regulated by Part 4.5 of the Act and the *Education Services for Overseas Students Act 2000* (Cwth) (ESOS Act). These impose additional requirements that providers must satisfy to offer courses to overseas students.

The provider must not enrol overseas students until it is registered by the VRQA.

If approved, the VRQA may then recommend to the Commonwealth that the provider be registered under the ESOS Act.

If the provider is already registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), evidence of compliance with the National Code must be provided for the relevant senior secondary qualification. The provider will need to take particular note of the requirements pertaining to membership of the Tuition Protection Service.

If the provider is intending to deliver a senior secondary course for overseas students, evidence of compliance with the ESOS Act (as amended in 2007) and *The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018* will also need to be provided.

Providers cannot apply to deliver a foundation secondary course such as the VPC to overseas students because the VPC is not a senior secondary course or an accredited course under the Australian Qualifications Framework (AQF).

If a registered non-school provider wishes to deliver the VCE to students outside Victoria (including offshore), it must apply to the VCAA for a licence.

Further information for providers seeking approval and registration to offer courses to students from overseas is available at:

* [www.vrqa.vic.gov.au/registration/Pages/schcricos.aspx](http://www.vrqa.vic.gov.au/registration/Pages/schcricos.aspx).

Providers should contact the VRQA for further information about registration and/or re-registration as a CRICOS provider.

Requirement to comply with the minimum standards

All providers must comply with the minimum standards for registration to provide an accredited senior secondary or foundation secondary course set out in Schedule 8 of the ETR Regulations and any other requirements specified in the Act. The VRQA works with the VCAA, the owner of the VCE, the VCAL and the VPC to monitor compliance with the minimum standards.

Providers must also comply with the Child Safe Standards. From 1 July 2022, new Victorian Child Safe Standards will commence. Providers must ensure that they meet the new standards by this date.

In the event that 2 or more providers share the responsibility for providing an accredited senior secondary course or its components, or an accredited foundation secondary course or its components each provider must have procedures in place to ensure the minimum standards are met. A written agreement must be in place to ensure the responsibilities of each provider are clear. In particular, the provider must ensure that the written agreement ensures that it continues to meet the student welfare minimum standard, including complying with the Child Safe Standards.

Complaints about providers

The VRQA may investigate complaints regarding a breach by a provider of the minimum standards or the Act.

A complainant must first raise the concerns with the relevant person, principal, chief executive officer or governing body, which must be given a reasonable time to respond. If not satisfied with the response, a complaint may then be made to the VRQA. However, this requirement does not apply if the VRQA is satisfied that there are reasonable grounds for the complainant failing to make a complaint to the provider.

Information regarding the VRQA’s complaints process is available on the VRQA’s website.

The VRQA is also required to investigate a complaint alleging a breach of obligations by a provider in relation to the democratic principles, the availability of information about the provider's performance, and the right of a parent or student to access information about the student’s achievement.

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The minimum standards

Standard 1 – Principles

1. The programs and teaching of a senior secondary education provider or a foundation secondary education provider must support and promote the principles and practice of Australian democracy, including a commitment to—
2. elected Government; and
3. the rule of law; and
4. equal rights for all before the law; and
5. freedom of religion; and
6. freedom of speech and association; and
7. the values of openness and tolerance
8. Nothing in this clause is intended to affect any right accorded to, or compliance with any obligation imposed on, a provider under an enactment of the State or of the Commonwealth.

Schedule 8 clause 1 of the Education and Training Reform Regulations 2017

Explanatory notes

The last paragraph of the above standard does not limit the operation of other laws of the State or Commonwealth. For example, section 39 of the *Equal Opportunity Act 2010* (Vic) allows an education provider to operate wholly or mainly for students of a particular sex, race, religious belief, age or age group, or students with a general or particular disability. This enables a provider established by a particular religious denomination or group of religious denominations to give preference in its enrolment policy to adherents of that denomination(s) or their children. The provider in this example is required to have written policies that are communicated to staff, students, parents and the community.

Evidence guide

There must be evidence in the form of a statement affirming the provider’s adherence to the principles and practice of Australian democracy. This might be included in the provider’s constitution, prospectus, handbook or policies.

Standard 2 – Student learning outcomes

(1) A senior secondary education provider or a foundation secondary education provider that provides, or proposes to provide, an accredited senior secondary course or an accredited foundation secondary course must—

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

Schedule 8 clause 2 of the Education and Training Reform Regulations 2017

Explanatory notes

Providers must be able to demonstrate understanding of the VCAA standards and requirements including the course outlines for the VCE and/or VCAL and/or the VPC, and deliver the course in accordance with those standards and requirements. This evidence needs to be specific to the cohort of students to ensure that students understand the course requirements, including the course standards, completion requirements and the timelines in place.

Evidence guide

There must be evidence in the form of:

• sample student learning sequences and an assessment plan for the accredited course

• procedures and documentation to indicate that staff and students have been provided with current and accurate information about the VCAA standards and requirements including course standards, completion requirements, timelines, and the current VCAA *VCE and VCAL Administrative Handbook* and/or the current *VPC Administrative Handbook.*

External providers

Where part or all of the course is delivered by another registered provider, there must be evidence in the form of a written agreement that sets out how the requirements of the student learning outcomes standard will be met (also see Schedule 8 clauses 3, 4, 5 and 6 of the ETR Regulations).

Standard 3 – Student welfare

1. A senior secondary education provider or a foundation secondary education provider must have policies and procedures in place that are consistent with any relevant laws and legislation to ensure the care, safety and welfare of students and the provision of opportunities for students with special needs to access the course.
2. If two or more senior secondary education providers or foundation secondary education providers share the responsibility for providing an accredited senior secondary course or its components or an accredited foundation 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.

Schedule 8 clause 3 of the Education and Training Reform Regulations 2017

Explanatory notes

All providers must have policies and procedures to provide students with a safe environment where students are and feel physically and emotionally safe. The policies and procedures must be written in a language that is suitable for the student cohort. All staff must be advised of their obligations under the relevant laws.

Student safety

There must be evidence in the form of the provider’s policies and procedures with respect to the following:

* the Child Safe Standards and requirements of the *Child Wellbeing and Safety Act 2005*
* that it owes all students a duty of care to take reasonable measures to protect them from reasonably foreseeable risks of injury
* that it owes a duty to take reasonable care that any student (or 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
* 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
* that greater measures may need to be taken for younger students or students with disabilities
* appropriate arrangements for on-site supervision of students
* appropriate arrangements for supervision of students when engaged in off-site activities
* ensuring the safety and welfare of students learning with an external provider
* bullying and harassment, including cyber bullying
* managing complaints or grievances
* the provider's obligations under discrimination and equal opportunity legislation, including the duty to make reasonable adjustments for students with disabilities
* ensuring all staff understand mandatory reporting, the failure to disclose offence, and the failure to protect offences. In summary:
* **the mandatory reporting obligation** is set out in Part 4.4 of the *Children, Youth and Families Act* *2005*. Section 184 imposes an obligation on registered teachers and other persons listed in section 182 to make a mandatory report if they form a belief on reasonable grounds that a child is in need of protection on the grounds that the child has suffered, or is likely to suffer, significant harm because of physical injury or sexual abuse, and the child's parents have not protected, or are unlikely to protect, the child from harm of that type. A child under mandatory reporting is defined as a person who is under the age of 17 years, unless they are subject to a child protection order or interim order granted by the Children’s Court of Victoria Family Division that continues in force until they turn 18 years of age
* **the failure to disclose offence** requires any adult (subject to specific exemptions) who forms a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16 to report that information to police. Failure to disclose the information to police is a criminal offence. Further information can be obtained at:
* [www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence](http://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence)
* **the failure to protect offence** applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that school. A relevant organisation is one that exercises care, supervision or authority over children. A person in a position of authority in a relevant organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so. Further information is available at:
  + [www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to](http://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to)

There must be evidence in the form of the provider's:

* arrangements for ill students
* policy and procedures for distributing medicine
* current register of staff trained in first aid
* records of student medical conditions and management
* accidents and incident register
* first aid policy and procedures
* internet use policy and procedures
* critical incident plan
* emergency management plan which must be reviewed at least annually and immediately after any significant incident.

There must also be evidence of how the provider communicates policies and procedures on the care, safety and welfare of students to staff, students, guardians and parents.

Child Safe Standards

A provider must have policies, procedures, measures and practices in accordance with the Child Safe Standards.

The Child Safe Standards and more information can be accessed at:

* [www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au)

New Child Safe Standards commence in Victoria from 1 July 2022. Providers must ensure they review their existing policies, procedures and practices to ensure they are meeting the new requirements of those standards.

External providers

Where part or all of the course is delivered by another registered provider, there must be evidence in the form of 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:

* monitoring of attendance
* Child Safe Standards
* Working with Children clearance
* travel between providers
* appropriate on-site supervision and supervision of off-site activities (also see Standards 4 and 5 of these Guidelines).

Coronavirus (COVID-19) safety

A provider must have policies and procedures in place to enable it to comply with pandemic orders made by the Minister for Health under the *Public Health and Wellbeing Act 2008* relating to COVID-19.

There must be evidence of the provider’s:

* COVIDSafe Plan
* policies and procedures to enable it to comply with any mandatory vaccination requirements for higher education workers, including policies and procedures:
* to ensure all higher education workers are fully vaccinated against coronavirus (COVID-19) by the applicable deadline or hold a valid exemption
* for the collection, use or disclosure of vaccination information and maintaining records about vaccination status as required by the pandemic orders.

Consistent with the requirement for higher education workers to be vaccinated against coronavirus (COVID-19), the Guidelines require providers to have policies and procedures to ensure their higher education workers are fully vaccinated or are an exempted person.

Consistent with the requirement under the pandemic orders for providers to collect, record and hold vaccination information about a higher education worker, the Guidelines require providers to have policies and procedures for maintaining the currency of records about the vaccination status of higher education workers.

The pandemic orders typically define ‘higher education worker’ to mean a person who works at or in connection with:

1. a university
2. a vocational education and training institute
3. a technical and further education institute
4. an adult community and further education institute
5. a registered training organisation
6. any other facility undertaking post-compulsory education or training.

Note: the definition is found in the Pandemic COVID-19 Mandatory Vaccination (Specified Workers) Order 2022, as made from time to time.

All providers will already have in place a COVIDSafe Plan. The Guidelines require providers to provide a copy of this to the VRQA at audit or as requested by the VRQA.

Providers should otherwise ensure they comply with all the requirements of the pandemic orders in force from time to time. The current pandemic orders register is found here:

* [www.health.vic.gov.au/covid-19/pandemic-order-register](http://www.health.vic.gov.au/covid-19/pandemic-order-register)

Standard 4 – Student records   
and results

1. A senior secondary education provider or a foundation secondary education provider must have policies and procedures in place—
2. to maintain accurate student records and ensure the integrity of student assessments; and
3. if the provider is—
   1. 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; or
   2. also the awarding body, to deal with the assessment program and the timely provision of student enrolments and results; and
4. to monitor patterns of student participation and completion rates, and the quality of outcomes of students in the registered senior secondary education qualification; and
5. to undertake an annual analysis (that is made publicly available) of student participation and completion rates and outcomes.
6. A senior secondary education provider or a foundation 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.
7. A senior secondary education provider or a foundation 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 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.

Schedule 8 clause 4 of the Education and Training Reform Regulations 2017

Explanatory Notes

Evidence needs to demonstrate understanding of the VCAA requirements including the Victorian Assessment Software System (VASS).

The provider must be able to demonstrate that students are correctly enrolled to enable achievement of the requirements of the accredited course. It must also demonstrate that its records of results are accurate and securely stored.

If 2 or more providers share the responsibility for providing an accredited senior secondary or foundation secondary course or its components, there must be arrangements in place to ensure that this standard is met.

Evidence guide

There must be evidence in the form of policies and procedures for:

* assessment
* administration of student records (including an archive period of not less than 7 years) Note: School-assessed coursework, copies of coursework, School-assessed Tasks and Externally-assessed Tasks must be retained until the end of the academic year in which the work was undertaken. School based assessments not returned to students may be destroyed 4 months after the student is notified of their final result for the unit
* 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 must be publicly available.

There must be evidence in the form of procedures that:

* maintain the integrity, accuracy and currency of student records
* allow students to request personal details about them which are stored on the VCAA database
* ensure that the personal details of students are held securely to prevent unauthorised access
* allow for the production of eligibility reports for currently enrolled students from VASS (for existing providers)
* demonstrate appropriate learning programs (for new providers).

The provider must supply evidence of:

• technical hardware to support the use of VASS.

External providers

Where part or all of the course is delivered by another registered provider, there must be evidence in the form of a written agreement that sets out how the requirements of the student records and results standard will be met (also see Standards 2, 3 and 5 of these Guidelines).

Standard 5 – Teaching and learning

A senior secondary education provider or a foundation secondary education provider must have—

* + 1. qualified and competent staff to teach and assess the course; and
    2. suitable teaching resources and physical facilities to provide the course; and
    3. processes to ensure the consistent application of assessment criteria and practices; and
    4. processes to oversee the conduct of assessments of the course including processes to conduct investigations and hearings and, if necessary, amend or cancel assessments.

Schedule 8 clause 5 of the Education and Training Reform Regulations 2017

Qualifications of teachers

Evidence guide

There must be evidence for VCE teachers in the form of:

* qualifications, Victorian Institute of Teaching (VIT) registration or Permission to Teach (PTT) and other relevant information showing that teachers are qualified and competent to delivery and/or assess of the VCE
* policies and procedures for recruitment and ongoing monitoring of a teacher’s suitability to engage in child connected work as required under the Child Safe Standards
* a register of VCE teachers containing each teacher’s name, VIT registration number and category of registration (full registration or PTT) or record of Australian Quality Training Framework (AQTF) qualifications.

Transitional arrangements for delivery of the VCE Vocational Major in 2023.

* In 2023 the VCE Vocational Major Program may be delivered by a VIT registered teacher, a person holding PTT or a person who meets the AQTF requirements for trainers and assessors.
* From 2024, the VCAA requires that teachers delivering and/or assessing the VCE Vocational Major Program are VIT registered or hold PTT.

Providers should contact the VCAA for more information about these transitional arrangements.

There must be evidence for VCAL and vocational education and training (VET) teachers in the form of:

* qualifications and other relevant information showing that teachers meet the AQTF)requirements for the delivery and/or assessment of the course

• policies and procedures for recruitment and ongoing monitoring of a teacher’s suitability to engage in child connected work as required under the Child Safe Standards.

* a register of VCAL and VET teachers containing each teacher’s name, AQTF qualifications and Working with Children clearance status.

There must be evidence for VPC teachers in the form of:

* qualifications, VIT registration or PTT or information showing the teachers meet the AQTF requirements for trainers and assessors
* other relevant information showing that teachers are qualified and competent to deliver
* policies and procedures for recruitment and ongoing monitoring of a teacher’s suitability to engage in child connected work as required under the Child Safe Standards
* a register of VPC teachers containing each teacher’s name, VIT registration number and category of registration (full registration or PTT) or AQTF qualifications and if relevant, the teachers Working with Children clearance status.

**Facilities and resources**

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

Evidence guide

There must be evidence in the form of:

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

• physical facilities that are suitable for the delivery of the specific VCE and/or VCAL and or VPC 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

• adequate learning resources such as equipment for the courses intended for delivery to ensure that delivery meets all requirements for resources and facilities.

Assessment

Evidence guide

There must be evidence in the form of:

• procedures for the fair, valid and reliable conduct of internal assessments

• 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

• written advice to staff and students that provides comprehensive course advice, including VCAA assessment rules and responsibilities and completion requirements

• procedures for establishing and applying decisions about satisfactory completion and delay of satisfactory completion across the course consistent with VCAA guidelines

• policies and procedures that ensure the integrity and authentication of assessments and their compliance with VCAA requirements and administrative guidelines

• documents available to staff to help ensure that they are able to meet course and assessment requirements, including administrative arrangements

• 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

• policies and procedures to ensure that the provider meets all other requirements in the current VCAA *VCE and VCAL Administrative Handbook* or current *VCAA VPC Administrative Handbook* as applicable

• policies and procedures for any workplace learning arrangements consistent with the current VCAA *VCE and VCAL Administrative Handbook* or current *VCAA VPC Administrative Handbook* and current Ministerial Orders, see: [www.education.vic.gov.au/training/providers/rto/Pages/workplacelearn.aspx](http://www.education.vic.gov.au/training/providers/rto/Pages/workplacelearn.aspx)

External providers

Where part or all of the course is delivered by another registered provider, there must be evidence in the form of a written agreement that sets out how the requirements of the teaching and learning standard will be met (also see Standards 2, 3 and 4 of these Guidelines).

Standard 6 – Governance and probity

1. The governance and management of a senior secondary provider or a foundation secondary education provider must be structured to enable the provider to effectively manage—
2. the finances of the provider; and
3. the physical environment of each place where the course is offered by the provider; and
4. the staff of the provider; and
5. the students enrolled in the course offered by the provider.

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

Evidence guide

There must be evidence in the form of:

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

• policies and procedures for the effective management of staff and students that include appropriate enrolment agreements with students, an enrolment register and employment agreements with staff

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

• policies relating to the operation, professional development, review and induction of governing body members

• a governance charter outlining the key functions and responsibilities of the governing body and executive

• a business plan, including 3-year financial projections and enrolment estimates, certified by a qualified accountant

• the rental/leasing arrangements of each delivery site, including council approval to operate an education facility (where required).

1. A senior secondary education provider or a foundation secondary education provider must ensure suitable arrangements are in place to enable—
2. the provider to respond to and supply any information requested by the Authority in regard to matters listed in section 4.3.11(2) of the Act; and
3. the provider to comply with any relevant guidelines issued by the Authority under section 4.3.11(3) of the Act; and
4. the Authority to conduct an audit on the operation of the person, body or school in relation to the minimum standards.

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

Explanatory notes

This standard requires a provider to ensure suitable arrangements are in place to enable the provider to comply with any relevant guidelines issued by the Authority under section 4.3.11(3) of the Act.

Evidence guide

There must be evidence in the form of policies 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)

• the VRQA will be notified well in advance of any proposed relocation to ensure the provider can be registered at the new delivery site (see evidence required under Standard 5 of these Guidelines)

* the VRQA must be notified at least one term in advance of any proposed closure of a campus or delivery site in order to minimise any impact on students’ continuity of learning.

There must be evidence in the form of completed and signed declarations (as provided in the application form) by the provider’s chief executive officer/principal that:

• declares the organisation will operate in accordance with the Act and ETR Regulations

• declares the information provided in the application is correct.

There must be evidence in the form of policies and procedures to ensure the provider has suitable arrangements in place to enable it to respond to and supply any information requested by the Authority in regard to the following matters.

1. In determining whether the person, body or school, any person involved in the management of the person, body or school, or any person involved in the business of the provision of courses by the person, body or school—
   * 1. has ever had their registration under Division 3 of Part 4.3 of the Act suspended or cancelled; or
     2. has ever had conditions imposed on their registration under this Division 3 of Part 4.3; or
     3. has ever been convicted of an indictable offence; or
     4. has ever become bankrupt or taken the benefit of any law for the relief of bankrupt debtors, or compounded with their creditors or made an assignment of their property for their benefit; or
     5. has ever been disqualified from managing corporations under Part 2D.6 of the Corporations Act; or
     6. was involved in the provision of courses by another person or body who is covered by paragraph (a) to (e) at the time of the events that gave rise to the relevant prosecution or other action.

Section 4.3.11(2) of the *Education and Training Reform Act 2006*

The provider must also have policies and procedures to show it can 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 provider in relation to the minimum standards.

1. If a senior secondary education provider is not the owner of the accredited senior secondary course, the provider must—
2. be authorised by the owner of the course to provide that course; and
3. comply with the conditions relating to that authorisation.

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

Explanatory notes

If provider is not the owner of the accredited course, the provider must apply to the VCAA for approval to offer the VCE or VPC.

Evidence guide

An application to the VRQA must contain the approval of the VCAA when it is available for the application to proceed.

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

Schedule 8 clause 6 of the Education and Training Reform Regulations 2017

1. From 1 January 2023, the VCAL will be replaced by the VCE Vocational Major and the VPC. [↑](#footnote-ref-1)