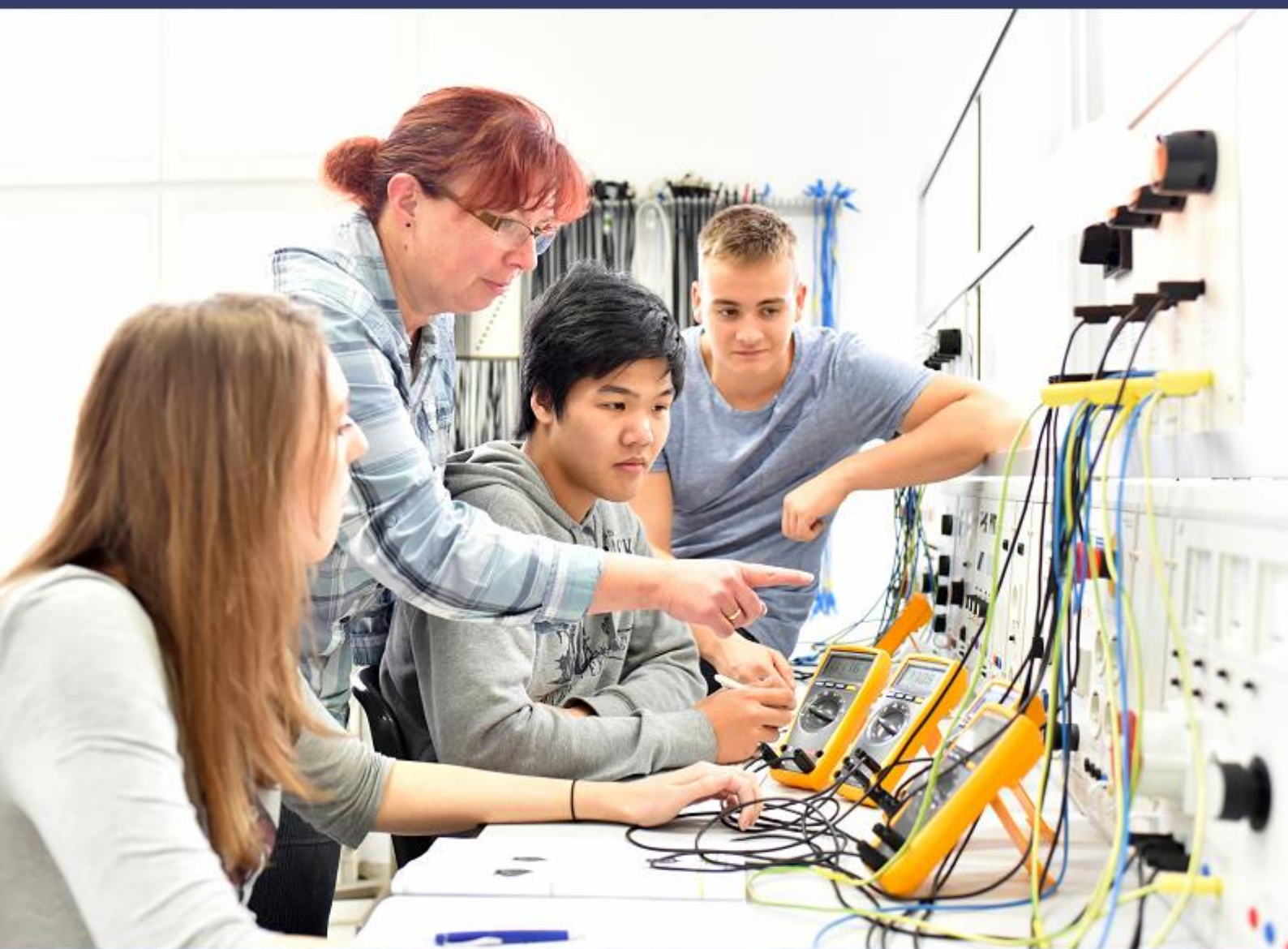


Guide to Participated in Subsidised Training

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About this Guide

This Guide to Participated in Subsidised Training contains information to help you as a Smart and Skilled Provider understand the meaning of “Participated in Subsidised Training” and to meet your obligations to accurately report Training Activity Data under the Smart and Skilled Contract.

This Guide provides:

- guidance on the meaning of the defined term Participated in Subsidised Training
- examples of records that provide sufficient evidence that an Enrolled Student has Participated in Subsidised Training and of records that are not sufficient for this purpose
- guidance on when to use UoC Outcome Codes 70 (Continuing enrolment) and 40 (Withdrawn) in submitting Training Activity Data under the Smart and Skilled Contract.

This Guide is written in relation to the current Smart and Skilled Contract. For Training Activity Data submitted under previous Smart and Skilled Contracts, Providers are required to refer to the relevant Smart and Skilled Contract for the relevant definitions and obligations. Providers with questions about past requirements should contact the Department for clarification.

Terms defined in the Smart and Skilled Contract have the same meaning when used in this Guide unless otherwise defined.

Please Note:

This Guide is a guide only. **In the event that this Guide is inconsistent with the terms of the Smart and Skilled Contract, the Smart and Skilled Contract applies.**

Providers should refer to the Smart and Skilled Terms and Conditions, Operating Guidelines and related Policies that, together, make up the Smart and Skilled Contract as their **primary source of reference** for details on all Provider obligations; see: <https://www.nsw.gov.au/education-and-training/vocational/funding/policies-smart-skilled>

This Guide may be subject to change from time to time. The current version of this Guide will always be available on STS Online.

What is “Participated in Subsidised Training”?

“**Participated in Subsidised Training**” is a defined term in the Smart and Skilled Terms and Conditions; see Schedule 1: Dictionary and Interpretation.

Under the Smart and Skilled Terms and Conditions, Participated in Subsidised Training means:

- (a) the Enrolled Student has interacted and participated in the Subsidised Training with a trainer/assessor and/or student/learner management system in a manner that exceeds induction, mere attendance and/or accessing training materials; and
- (b) the Provider has documented this interaction and participation.

Participate, Participation and **Participating** have corresponding meanings to the above definition throughout the Smart and Skilled Contract.

Breakdown of the definition

Set out below is a detailed breakdown of the definition of “Participated in Subsidised Training”. For full descriptions of terms defined within the Smart and Skilled Terms and Conditions, see Schedule 1: Dictionary and Interpretation and **Appendix A** at the end of this Guide.

1. **Enrolled Student** – only an Enrolled Student can Participate in Subsidised Training.
2. **Interacted and participated** – from their common dictionary meanings: **interaction** is communication or direct involvement with someone or something; and **participation** is the action of taking part in something.
3. **Subsidised Training** – Training and Assessment delivered by the Provider to Enrolled Students under any Smart and Skilled Program or the School Based Apprenticeships and Traineeships Program. Importantly, this includes training in and assessment of a Unit of Competency (**UoC**), module or subject.
4. **Trainer/assessor and/or student/learner management system** – these terms carry the meanings they have in the context of vocational education and training. For example, under the *Standards for Registered Training Organisations (RTOs) 2015*, **Trainers** are persons who provide training in accordance with Clauses 1.13, 1.14 and 1.16 and **Assessors** are persons who assess a learner’s competence in accordance with Clauses 1.13 to 1.16. Similarly, a **student or learner management system** (SMS or LMS), as a common term in vocational education and training, refers to a software application for the administration, documentation, tracking, reporting, automation, and delivery of educational courses, training programs, materials or learning and development programs.
5. **In a manner that exceeds induction, mere attendance and/or accessing training materials** – these terms carry the meanings they have in the context of vocational education and training. For example, **induction** is usually when a course structure, delivery and/or content is explained; **attendance** is the act of a student

being present in a training delivery or assessment situation; and **accessing training materials** may be receiving physical training materials, such as a participant handbook, learner guide or other materials, in person or via the post, or it may be logging into an online platform to access, view or download UoC content or other learning materials. The key word before the above three concepts is **exceeds**, meaning that the interaction and participation in Subsidised Training with a trainer/assessor and/or student/learner management system must be more than induction, mere attendance and/or accessing training materials.

6. The Provider has **documented** this interaction and participation – paragraph (b) of the definition requires the provider to collect and maintain records that capture the Enrolled Student’s interaction and participation.

Examples of records that evidence Participation in Subsidised Training

Paragraph 17 of the Operating Guidelines outlines a range of record keeping requirements that must be met to evidence that an Enrolled Student has Participated in Subsidised Training, including but not limited to requirements for electronic signatures, online delivery and delivery by correspondence.

The table in paragraph 17.8 of the Operating Guidelines states, to demonstrate that an Enrolled Student has Participated in Subsidised Training, documented evidence that the Enrolled Student has interacted and participated in Subsidised Training in the relevant UoC with a trainer/assessor or student/learner management system in a manner that exceeds induction, mere attendance or accessing training materials must be kept.

Providers are free to determine how they will meet record keeping requirements and document the Enrolled Student’s Participation in Subsidised Training in a manner that best suits the Provider’s operations and the applicable mode of delivery.

As a guide, below are some examples of acceptable evidence that an Enrolled Student Participated in Subsidised Training. In each example, the record kept must meet all requirements of the Operating Guidelines and clearly identify the Enrolled Student, UoC and date. Please note, this list is not exhaustive and is not intended to be prescriptive:

- workbook of an Enrolled Student containing relevant learning text for the UoC, with at least one written response to a question in that text by the Enrolled Student that is marked and/or contains feedback from a trainer/assessor
- quiz completed by an Enrolled Student in face-to-face training based on the UoC content delivered (e.g. to revise key points learned in the session) that is marked and/or contains feedback from a trainer/assessor
- recording of a training session that shows the Enrolled Student asking a question and being answered by the trainer, or the trainer asking a question and the Enrolled Student providing an answer, regarding the UoC content being delivered (includes questions asked and answered in the chat function of a lesson delivered via video-conferencing technology)
- record or document created by a trainer/assessor where the trainer/assessor has documented a verbal question asked and the answer provided in an interaction

with the Enrolled Student regarding the UoC content in a training session

- extract from an online learning system that shows an Enrolled Student's response to an online question asked in the course of the Enrolled Student's progression through the UoC material; the online system should also capture other details such as date, time, duration of log in, and IP address of the computer
- record of the Enrolled Student's completed assessment, such as: (1) knowledge assessment for the UoC, e.g. written answers to written questions that have been marked by the assessor; or (2) practical assessment for the UoC, e.g. observation report detailing the Enrolled Student's performance marked by the assessor.

Please note:

The record kept must meet the Record Keeping requirements set out in paragraph 17 of the Operating Guidelines, including that the evidence must be valid, readily accessible, current, sufficient, authentic and capable of verification by the Department.

Examples of records that are not sufficient to evidence Participation in Subsidised Training

Below are some examples of records that are **not** sufficient to evidence that an Enrolled Student Participated in Subsidised Training; please note, this is not an exhaustive list:

- enrolment form completed by the Enrolled Student
- Language, Literacy and Numeracy (LLN) test or some other pre-enrolment quiz completed by the Enrolled Student
- induction checklist or other evidence related to the Enrolled Student having had the course structure, delivery and/or content explained
- record supporting the Enrolled Student receiving training materials in person, via email or in the post (e.g. receipt declaration signed by the Enrolled Student, email or postal record)
- completed pre-learning quiz undertaken during induction or prior to the start of training to determine the Enrolled Student's knowledge of the UoC before training begins
- UoC session plan, training plan or assessment guide
- email(s) sent to the Enrolled Student requesting the Enrolled Student to log on or commence

- UoC commencement declaration signed by the Enrolled Student and/or the trainer/assessor
- attendance sheet signed by the Enrolled Student
- log-in record from an online learning platform that shows the date and time(s) of the Enrolled Student's log-in but does not capture the Enrolled Student interacting with or responding to the UoC learning material
- video recording of a classroom session or recorded virtual training session that shows the Enrolled Student was in the classroom or in the virtual session attending passively
- the Enrolled Student's record supporting independent research or study by the Enrolled Student that does not capture interaction with a trainer/assessor or student/learner management system or a UoC workbook.

When to report UoC Outcome Code 70 (Continuing enrolment)

To submit Training Activity Data, the Provider must use the relevant UoC Outcome Codes outlined in clause 14.3 of the Smart and Skilled Terms and Conditions, in conjunction with the AVETMIS Standard definitions of the UoC Outcomes.

The UoC Outcome Code **70 (Continuing enrolment)** is used when the Enrolled Student has Participated in Subsidised Training in the UoC and no other UoC Outcome Achievement has occurred.

Until a Provider has collected and maintains records that meet the definition of Participated in Subsidised Training for an Enrolled Student for a UoC (refer to the section above on **Examples of records that evidence Participation in Subsidised Training**), the UoC Outcome Code 70 (Continuing enrolment) must **not** be reported for that Enrolled Student in respect of the relevant UoC.

The UoC Outcome Code **85 (Not yet started)** is to be used if the student has enrolled in the UoC but Training has not yet commenced.

When to report UoC Outcome Code 40 (Withdrawn)

The UoC Outcome Code **40 (Withdrawn)** is used where an Enrolled Student has Participated in Subsidised Training for the UoC and has withdrawn before completing all Training and Assessment (as specified in the relevant Training Package).

The Provider must collect and maintain records of an Enrolled Student's withdrawal

and that meet the definition of Participated in Subsidised Training to be able to report the UoC Outcome Code 40 (Withdrawn) for the relevant Enrolled Student and UoC (refer to the section above on **Examples of records that evidence Participation in Subsidised Training**).

If the records have not been collected and maintained, the UoC Outcome Code **85 (Not yet started)** must be reported by the Provider for the UoC.

Refunds arising from inaccurate Training Activity Data

The UoC Outcome Codes 70 (Continuing enrolment) and 40 (Withdrawn), can each trigger or contribute to a UoC Outcome Achievement Stage and may result in payment of Subsidies (and Loadings, if applicable) – see clause 17.3 in the Smart and Skilled Terms and Conditions for more details. For this reason, it is important to ensure the required records are collected and maintained to support that the Enrolled Student Participated in Subsidised Training for the relevant UoC before these UoC Outcome Codes are submitted.

Should a Provider become aware that it has reported Training Activity Data that triggered a UoC Outcome Achievement Stage and corresponding payment under the Smart and Skilled Contract, but the Provider does not hold the required records and therefore has not complied with the Smart and Skilled Contract in respect of that payment, the Provider must immediately notify the Department of the non-compliance and make arrangements to repay the monies the Provider is not entitled to.

Contact

For enquiries regarding evidence requirements under the Smart and Skilled Contract, please email Quality Assurance at TS.Monitoring@det.nsw.edu.au.

For enquiries regarding eReporting please contact Customer Service and Operations on 1300 772 104 or at TSNSWCust.Service@det.nsw.edu.au.

To report a payment that was received due to inaccurate Training Activity Data, please email Reconciliation and Appeals on TSNSW.Reconciliation@det.nsw.edu.au.

Appendix A – Relevant Definitions

Below is a list of terms defined within the Smart and Skilled Terms and Conditions, Schedule 1: Dictionary and Interpretation, that have relevance to the definition of Participated in Subsidised Training.

Accredited Course means a program of learning that comprises one or more components (e.g. Units of Competency, modules or subjects) that has been accredited by an accrediting authority.

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved to confirm that an Enrolled Student can perform to the standard expected in the workplace, as specified in a training package or VET accredited course.

Commencement means the commencement of an Approved Qualification by an Enrolled Student where the Enrolled Student has Participated in Subsidised Training for at least one of the Units of Competency specified in:

- (a) the Training Package (if the Approved Qualification is a Qualification); or
- (b) the Approved Qualifications Activity Schedule (if the Approved Qualification is a Smart and Skilled Targeted Priorities Prevocational and Part Qualification),

and **Commence** and **Commenced** have a corresponding meaning.

Enrolled Student means a student who is eligible to receive Subsidised Training as determined by either the Smart and Skilled Student Eligibility Policy or the School Based Apprenticeships and Traineeships Student Eligibility Policy and:

- (a) for whom the Provider has completed the Notification of Enrolment Process
- (b) for whom the Provider has been issued a Commitment ID; and
- (c) that has enrolled with the Provider in the Approved Qualification the subject of the Commitment ID.

Participated in Subsidised Training means:

- (a) the Enrolled Student has interacted and participated in the Subsidised Training with a trainer/assessor and/or student/learner management system in a manner that exceeds induction, mere attendance and/or accessing training materials; and
- (b) the Provider has documented this interaction and participation.

Provider means a registered training organisation who is a party to the Smart and Skilled Contract.

Subsidised Training has the meaning given to it in clause 2(a) and means the Training and Assessment delivered by the Provider to Enrolled Students under any Smart and Skilled Program or the School Based Apprenticeships and Traineeships Program.

Training means the delivery of vocational education and training by way of an accredited tertiary education course which is defined as a vocational education and training program being a structured approach to the development and attainment of one or more competencies for a particular AQF qualification to meet the requirements of

Training Packages or, where there is no Training Package, a sequence of Training consisting of one or more modules from an accredited vocational education and training course. Training also means non-accredited, local courses developed by registered training organisations, or courses developed by industry, enterprise, community education or professional bodies to meet an identified training need which is vocational in intent.

Training Activity Data means the data required to be reported by the Provider to the Department under clause 14.

Training Package means a nationally endorsed, integrated set of competency standards, Assessment guidelines and Australian Qualifications Framework (AQF) Qualifications for a specific industry, industry sector or enterprise.

Unit of Competency means the specifications of knowledge and skill and the application of that knowledge and skill to the standard of performance required in the workplace as specified in the Training Package.

UoC Outcome means a UoC Outcome Achievement has occurred for which the corresponding UoC Outcome Code has been submitted to the Department.