



Australian Government

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Department of Education, Employment and Workplace Relations

*Skilling Australia for the Future*

***NEW ENTERPRISE INCENTIVE  
SCHEME (NEIS) - PRODUCTIVITY PLACES  
PROGRAM (PPP)***

Guidelines

1 July 2009

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## TABLE OF CONTENTS

<b>1</b>	<b>Program Overview</b> .....	<b>1</b>
1.1	Introduction.....	1
1.2	Purpose of these Program Guidelines.....	1
<b>2</b>	<b>Definitions</b> .....	<b>2</b>
<b>3</b>	<b>NEIS-PPP Program</b> .....	<b>6</b>
3.1	Objective .....	6
3.2	Policy context .....	6
3.3	Expected Distribution of NEIS-PPP places.....	6
3.4	Identified Qualifications .....	6
3.5	Flexible Modes of Training Delivery.....	6
3.6	Recognition of Prior Learning .....	7
3.7	Credit Transfer.....	7
3.8	Change in an Enrolment.....	8
3.9	Expiry of Enrolments .....	8
3.10	Exit from Identified Qualification Prior to Completion.....	10
3.11	Complementary Enabling Training .....	10
<b>4</b>	<b>Eligibility for the Program</b> .....	<b>11</b>
4.1	NEIS-PPP Trainee Eligibility.....	11
4.2	Change in Eligibility .....	11
4.3	NEIS-PPP Trainee Roles and Responsibilities.....	11
4.4	Waivers .....	11
4.5	Complaints and Appeals.....	12
<b>5</b>	<b>NEIS providers and the Referral Process</b> .....	<b>14</b>
5.1	Referral Agencies .....	14
5.2	Referral Processes for NEIS providers.....	14
5.3	Processes for Approved Organisations .....	14
5.4	Expectations of Approved Organisations.....	15
5.5	Conflict of Interest.....	15
<b>6</b>	<b>Responsibilities of Approved Organisations</b> .....	<b>17</b>
6.1	Overview .....	17
6.2	Administrative Services .....	18
6.3	Confirming Identity and Eligibility.....	18
6.4	Informing NEIS-PPP Trainees about the Program .....	18
6.5	Confirmation of Enrolment.....	19
6.6	Letter of Notification.....	21
6.7	Administrative Processes for Change in an Enrolment.....	22
6.8	Administrative Processes for the Suspension of Training.....	22
6.9	Approved Organisations Availability of Qualifications.....	23
6.10	Delivering Identified Qualifications.....	23
6.11	Reporting Training Outcomes.....	23
6.12	Records Management .....	24
6.13	Marketing.....	26
6.14	Contact with the Department .....	27
<b>7</b>	<b>Commonwealth Responsibilities</b> .....	<b>28</b>
7.1	Program Management Overview .....	28
7.2	Program Budget Management .....	28
7.3	Program Allocation Management .....	28

7.4	Amendments to Guidelines .....	28
7.5	Contract Management .....	29
7.6	Management of IT for the Program.....	29
7.7	Monitoring and Auditing.....	29
7.8	Provision of High Level Advice and Dispute Resolution .....	29
7.9	General Program Management .....	30
7.10	Commonwealth Material.....	30
7.11	Contact Information .....	30
<b>8</b>	<b>Request for Organisations to Participate.....</b>	<b>31</b>
8.1	Submissions to Become Approved Organisations.....	31
8.2	Subcontracting.....	31
8.3	Assessment of Submissions.....	32
<b>9</b>	<b>Payments .....</b>	<b>33</b>
9.1	Program Administration Fees .....	33
9.2	Payments for Identified Qualification Costs .....	33
9.3	Amending Payment Structures .....	34
9.4	Invoicing .....	34
<b>10</b>	<b>IT Systems .....</b>	<b>36</b>
10.1	Productivity Places Program Information Management System .....	36
10.2	IT Systems Specifications .....	36
10.3	Accessing PIMS .....	37
<b>11</b>	<b>Contractual Arrangements .....</b>	<b>39</b>
11.1	Contract.....	39
11.2	Contract Timetable .....	39
11.3	Services Contract Variations .....	39
11.4	Payments .....	39
11.5	Overpayments .....	40
11.6	Insurance.....	40
<b>12</b>	<b>Performance Management.....</b>	<b>41</b>
12.1	Overview .....	41
12.2	Performance Management .....	41
12.3	Performance Monitoring Principles.....	41
12.4	Performance Monitoring .....	42
12.5	Poor Performance .....	42
<b>13</b>	<b>Legislative Requirements .....</b>	<b>44</b>
13.1	Overview .....	44
13.2	Discrimination Legislation.....	44
13.3	Eligible NEIS-PPP Trainees with a Disability.....	44
13.4	NEIS-PPP Trainee Confidentiality .....	45
13.5	Privacy Act .....	45
13.6	Privacy Complaints.....	46
13.7	Freedom of Information .....	46
13.8	Insurance and Indemnity .....	46
13.9	Working with Children.....	47
<b>14</b>	<b>Acronyms .....</b>	<b>50</b>

<b>1 Program Overview</b>	
<b>1.1 Introduction</b>	<p>Under the <i>Skilling Australia for the Future</i> initiative, the Australian Government has funded the <i>Productivity Places Program</i> (PPP) which will deliver 711 000 training places over five years to ensure that Australian workers develop the skills they need. These training places will be delivered in an industry-driven system, ensuring that training is more responsive to the needs of businesses and NEIS-PPP Trainees.</p> <p>These NEIS-PPP Guidelines ('the Guidelines') relate only to the NEIS-PPP Program ('the Program'). This document will outline information specifically relating to NEIS-PPP Trainees, but not to PPP training being undertaken by others.</p>
<b>1.2 Purpose of these Program Guidelines</b>	<p>The Guidelines set out the administration and delivery requirements for the provision of services that must be supplied by Approved Organisations.</p> <p>The Guidelines are incorporated into and form a part of the Services Contract between the Department of Education, Employment and Workplace Relations (DEEWR) and Approved Organisations for the administration and delivery of the Program.</p> <p>For the purpose of administering and delivering the Program the following documents must be read and complied with jointly:</p> <ul style="list-style-type: none"> <li>• the Services Contract;</li> <li>• the Guidelines; and</li> <li>• the Request to Participate (RTP) in the provision of the Program.</li> </ul> <p>Where the above documents are inconsistent, the Services Contract takes priority over the later mentioned documents to the extent of the inconsistency.</p> <p>In accordance with the Services Contract between the Commonwealth and Approved Organisations, DEEWR reserves the right to amend the Guidelines at its discretion from time to time. Approved Organisations will be advised of changes to the Guidelines on the Program Information Management System (PIMS) Bulletin Board and on the PPP website.</p>

<b>2 Definitions</b>	
Approved Organisation	<p>An Approved Organisation is a Registered Training Organisation (RTO) which is approved by and has entered into a Services Contract with DEEWR to undertake specified administration and delivery of Identified Qualifications under the Program.</p> <p>Training under the Program must be provided by an Approved Organisation.</p>
AQF	Australian Qualifications Framework
AQTF	Australian Quality Training Framework
Australian Qualifications Framework	The Australian Qualifications Framework is a unified system of national qualifications in school, vocational education and training and the higher education sectors.
Australian Quality Training Framework	The nationally agreed recognition arrangements for the vocational education and training sector. The Australian Quality Training Framework is based on a quality assured approach to the registration of training organisations seeking to deliver training; assess competency outcomes; and issue AQTF qualifications and/or statements of attainment.
Australian Quality Training Framework Partnership Agreements	AQTF Partnership Agreements are an agreement between an organisation and an RTO where the RTO will be responsible for ensuring compliance with the AQTF, issuing Australian Qualification Framework statements of attainment and/or qualifications for training and assessment conducted in its name.
Centrelink	Centrelink is a statutory authority providing information and assistance relating to a range of Australian Government programs, including childcare and student assistance payments and services, registration of all new prospective NEIS-PPP Trainees for income support and employment assistance, self-help job search facilities, referrals for employment assistance, and specialist labour market assistance services for disadvantaged groups. Centrelink is part of the Human Services portfolio in the Commonwealth.
Commencement	The Approved Organisation commenced delivery of formal training to the NEIS-PPP Trainee in the Identified Qualification based on a presentation of materials developed in accordance with the relevant Training Package for that Identified Qualification.
Commencement Payment	A Commencement Payment will be paid to an Approved Organisation when a NEIS-PPP Trainee has commenced formal training in one of the Identified Qualifications and the Commencement milestone has been entered on to PIMS by the

	Approved Organisation. Please see Section 6.11 Reporting Training Outcomes for further details.
Commonwealth Material	Material provided by DEEWR to an Approved Organisation for the purpose of administering and delivering the Program, and includes material which is copied or derived from material so provided.
Completion Payment	A Completion Payment will be paid to an Approved Organisation when a NEIS-PPP Trainee has completed the full qualification, a certificate has been issued and the completion milestone has been entered on to PIMS by the Approved Organisation. All units of competence must be completed for the qualification to be deemed complete.
Contract Material	Contract Material has the meaning specified in the Services Contract.
Credit Transfer	Where a prospective NEIS-PPP Trainee has been recognised as having previously completed a Unit of Competency from an Identified Qualification and therefore does not have to complete the Unit/s of Competency again.
Date of Enrolment	The Date of Enrolment is the date on which DEEWR approves and confirms a successfully submitted confirmation of enrolment form by noting the status of the enrolment as “Approved” on PIMS and issuing a letter of notification via PIMS (refer Section 6.5 and 6.6).
DEEWR	The Australian Government Department of Education, Employment and Workplace Relations
DEEWR’s IT System	DEEWR’s IT computer system accessible by a NEIS provider, through which information is exchanged between the NEIS provider, a subcontractor of the NEIS provider, Centrelink, and DEEWR in relation to the services.
Employment Pathway Plan	A document negotiated between a Job Services Australia provider and a job seeker that sets out an individualised pathway to employment for the job seeker.
ESD4	<i>Employment Services Deed 2009-2012</i> between the Commonwealth and NEIS providers.
Exceptional Circumstances	For the purposes of the Program, Exceptional Circumstances refer to unforeseen events or issues impacting on the NEIS-PPP Trainee’s ability to successfully participate in training. For example, medical illness or a death in the family.
Guidelines	The NEIS-PPP Guidelines.
Identified Qualification(s)	For the purposes of this program the qualifications listed in Section 3.4.

Job Services Australia Provider	The employment services provider under the <i>Employment Services Deed 2009-2012</i> .
National Training Information Service	The National Training Information Service is the database on vocational education and training in Australia. NTIS is the official national register of information on courses, qualifications, Training Packages, Units of Competency and RTOs and has been developed for experienced training sector users.
NEIS	New Enterprise Incentive Scheme
NEIS-PPP Guidelines	These NEIS-PPP Guidelines ('the Guidelines'), which set out the administrative and delivery requirements for the provision of services required by an Approved Organisation on behalf of the Commonwealth.
NEIS-PPP Program	The NEIS-PPP Program aims to assist individuals eligible to participate in NEIS to participate in training so as to acquire the skills they need to start up and run a new, viable, small business.
NEIS-PPP Trainee	A person who has been referred by the NEIS provider to the Approved Organisation to receive training under the Program.
NEIS-PPP Trainee Identification Number	The NEIS-PPP Trainee Identification Number is a unique identifier that should be used when NEIS-PPP Trainees contact DEEWR.
NEIS provider	A provider on the NEIS Panel who provides NEIS panel member services under ESD4. This will also be the only referring agency for this Program.
New Enterprise Incentive Scheme	The services delivered by NEIS providers under ESD4.
Nominal Hours	For the purposes of this program the Nominal Hours for a qualification is defined as the required hours to complete the qualification.
NTIS	National Training Information Service
PIMS	Program Information Management System
PPP	Productivity Places Program
Productivity Places Program	An Australian Government program which will deliver 711 000 training places over five years in areas of current and future skills needs to ensure that Australian workers develop the skills they need.
Program	The NEIS-PPP Program.
Program Information Management System	The Program Information Management System, or on-line IT system, that will be used by Approved Organisations and DEEWR to manage, monitor and report on the Program.
Recognition of Prior	Recognition of Prior Learning is a process whereby people are

Learning	provided with an opportunity to have the skills and knowledge they have developed outside the formal education system, assessed and valued against the AQF.
Registered Training Organisation	A Registered Training Organisation is an organisation registered by a registering body under the AQTF which has satisfied the national criteria for provision of services and is listed on the NTIS website.
Request for Organisations to Participate	A document published by DEEWR, inviting eligible RTOs to submit an application to participate in the administration and delivery of the Program.
RPL	Recognition of Prior Learning
RTO	Registered Training Organisation
RTP	Request for Organisations to Participate
Services Contract	A contract with the Commonwealth based on the DEEWR standard contract for the provision of services for the Program, which must be executed before an organisation is eligible to deliver training under the Program.
Suspension of Training	A period of time in which a NEIS-PPP Trainee and the Approved Organisation (and where appropriate, the NEIS provider) agree to temporarily suspend training due to Exceptional Circumstances.
Training Package	A Training Package is an integrated set of nationally endorsed standards, guidelines and qualifications for training, assessing and recognising people's skills, developed by industry to meet the training needs of an industry or group of industries. Training Packages consist of core endorsed components of competency standards, assessment guidelines and qualifications, and optional non-endorsed components of support materials such as learning strategies, assessment resources and professional development materials.
Unit	Unit of Competency
Unit of Competency	A Unit of Competency ('a Unit') is a statement of a key function or role in a particular job or occupation. A Unit of Competency is a component of a competency standard.

<b>3 NEIS-PPP Program</b>	
<b>3.1 Objective</b>	The NEIS-PPP Program aims to assist individuals eligible to participate in NEIS to participate in training so as to acquire the skills they need to start up and run a new, viable, small business.
<b>3.2 Policy context</b>	<p>NEIS helps eligible unemployed people to start up and run new, viable small businesses. NEIS provides access to small business management training through the PPP which will allow the development of business skills and business plan development. Business plans need to be approved by a NEIS-PPP Trainee's NEIS provider before the NEIS-PPP Trainee can start operating their NEIS business.</p> <p>18 900 PPP training places over three years (6300 places per year) will be made available for NEIS-PPP Trainees. RTOs may be approved to deliver the training under PPP in one or both of the Identified Qualifications (refer section 3.4).</p>
<b>3.3 Expected Distribution of NEIS-PPP places</b>	<p>18 900 NEIS-PPP places will be made available to NEIS-PPP Trainees over three years from 1 July 2009. 6300 places will be made available to states and territories via 4 allocations per year based on working age population. Each quarterly allocation will be for a total of 1575 places. The allocations will occur on in the first week of July, October, January and April each year.</p> <p>DEEWR will manage the allocation of these places and reserves the right to adjust the allocation of places over time in response to changing demands.</p>
<b>3.4 Identified Qualifications</b>	<p>Two qualifications only will be available to NEIS-PPP Trainees. They are:</p> <ul style="list-style-type: none"> <li>• Certificate III in Micro Business Operations (BSB30307); and</li> <li>• Certificate IV in Small Business Management (BSB40407).</li> </ul>
<b>3.5 Flexible Modes of Training Delivery</b>	<p>Approved Organisations will provide flexible delivery options e.g. part-time, outside business hours, distance mode, catering for people with a disability (refer Section 13.3) and other innovative strategies particularly for delivering training in regional and remote locations to meet the diverse learning and cultural needs of NEIS-PPP Trainees in a range of geographical locations. These could include:</p> <ul style="list-style-type: none"> <li>• on-line delivery;</li> <li>• block attendance;</li> <li>• tutorial assistance for Indigenous Australian NEIS-PPP Trainees through the Indigenous Tutorial Assistance Scheme (ITAS); or</li> </ul>

	<ul style="list-style-type: none"> <li>mentoring options for NEIS-PPP Trainees who do not have regular access to the Approved Organisation.</li> </ul> <p>NEIS Training is a Centrelink approved activity. NEIS Training usually lasts for 13 weeks which allows for training and development of a NEIS business plan and can be extended if the NEIS provider decides that the NEIS-PPP Trainee needs more time.</p>
<p><b>3.6 Recognition of Prior Learning</b></p>	<p>Approved Organisations must offer, and if appropriate or requested, undertake an RPL assessment for each NEIS-PPP Trainee. Approved Organisations must maintain detailed records of this assessment as part of the NEIS-PPP Trainee's file. RPL can be a lengthy process and may not be completed at enrolment. RPL must be completed prior to the course Commencement date and the NEIS-PPP Trainee's records must be updated prior to this date.</p> <p>Where NEIS-PPP Trainees have undertaken an RPL assessment and their current competencies have been recognised for some or all components of their study, they will be considered to have enrolled in the full Identified Qualification. DEEWR will provide the full cost of the Identified Qualification as payment for the RPL assessment and the balance of the Identified Qualification costs.</p> <p>Under the Services Contract, DEEWR will closely monitor RPL assessment and student completion and withdrawal rates within each Approved Organisation. DEEWR may decide to withdraw approval of courses for an Approved Organisation where RPL assessment and NEIS-PPP Trainee completion and withdrawal rates are unsatisfactory.</p>
<p><b>3.7 Credit Transfer</b></p>	<p>Where a NEIS-PPP Trainee has previously completed some Units of an Identified Qualification but not the full qualification, this is a Credit Transfer rather than RPL.</p> <p>If a NEIS-PPP Trainee is entitled to a Credit Transfer in an Identified Qualification, DEEWR will cover the approved costs of the remaining Units required to complete the Identified Qualification. Approved Organisations are required to enter into PIMS the percentage of the qualification already completed by NEIS-PPP Trainees who have previously completed some Units of the Identified Qualification.</p> <p>Payments for Commencement and completion milestones will be paid on a pro-rata basis for the remaining percentage of the qualification to be delivered. Approved Organisations must maintain detailed records of the credit transfer assessment as part of the NEIS-PPP Trainee's file.</p> <p>The pro-rata adjustment for Credit Transfer will be calculated by multiplying the qualification cost by the percentage of the</p>

	<p>qualification already completed.</p> <p>Example: If the qualification cost was \$100 and the NEIS-PPP Trainee was given Credit Transfer of Units equalling 50 per cent of the Identified Qualification (a decimal percentage of 0.50), then the reduced qualification cost payable by DEEWR to the Approved Organisation would be:</p> $\$100 - (\$100 \times 0.50) = \$50.$
<p>3.8 <b>Change in an Enrolment</b></p>	<p>If a NEIS-PPP Trainee wants to change the qualification in which they are enrolled and/or the RTO they are enrolled with, they may do so providing they have not commenced an Identified Qualification.</p> <p>Any change of enrolment and/or RTO is subject to the agreement of the referring NEIS provider. If the NEIS-PPP Trainee has already commenced in the Identified Qualification, they are unable to change their Identified Qualification or Approved Organisation.</p> <p>In Exceptional Circumstances, and at DEEWR's absolute discretion, where a NEIS-PPP Trainee has commenced an Identified Qualification and wishes to change their Identified Qualification or Approved Organisation, approval may be sought from DEEWR. Each decision will be dependant on the circumstances of the individual NEIS-PPP Trainee.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>• The NEIS-PPP Trainee's personal circumstances change to the degree that they cannot continue training in the chosen qualification and/or with the Approved Organisation.</li> <li>• The chosen qualification is cancelled or the Approved Organisation is unable to continue delivery of the training.</li> </ul> <p>NOTE: Approved Organisations must inform all NEIS-PPP Trainees who seek to suspend their training, that their social security entitlements may be affected if they do so and that they should contact their Job Services Australia Provider or Centrelink to discuss whether their social security entitlements will be affected. Approved Organisations must also advise the NEIS Panel Member of any change in enrolment.</p>
<p>3.9 <b>Expiry of Enrolments</b></p>	<p>A NEIS-PPP Trainee's enrolment for training will be valid for up to three weeks after the expected Commencement date of training. After this time, if the training has not commenced and been recorded on PIMS by the Approved Organisation, the enrolment will expire.</p>

	<p>If the enrolment expires, DEEWR will not be liable to pay any amount under the Services Contract in relation to the enrolment.</p> <p>DEEWR may at its discretion determine whether or not an expired enrolment will be reactivated through the waiver process. DEEWR will only reactivate an expired enrolment if there are training places available.</p>
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<p>3.10 <b>Exit from Identified Qualification Prior to Completion</b></p>	<p>If a NEIS-PPP trainee enrolls in an identified qualification when they have previously left another PPP course prior to completion, they are still able to enrol in that Identified Qualification immediately.</p>
<p>3.11 <b>Complementary Enabling Training</b></p>	<p>PPP for NEIS-PPP Trainees is not intended to provide specialist language, literacy and numeracy training. Approved Organisations will need to ensure the embedded language, literacy and numeracy, as well as employability skills in Training Package qualifications, are delivered effectively as part of the training provided under the Program. Any language, literacy and numeracy support, or assistance with employability skills, required by a NEIS-PPP Trainee must therefore be integrated by the Approved Organisation into the delivery of their qualification.</p>

<b>4 Eligibility for the Program</b>	
<b>4.1 NEIS-PPP Trainee Eligibility</b>	<p>To be eligible for a Program training place a prospective NEIS-PPP Trainee must:</p> <ul style="list-style-type: none"> <li>• be referred by a NEIS provider to an Approved Organisation in accordance with Section 5.2 below; and</li> <li>• not be receiving any additional or separate funds under any other Commonwealth or State and Territory Government program in relation to an Identified Qualification.</li> </ul> <p>NEIS-PPP Trainees will be expected to provide proof of identity.</p> <p>Original documents must be sighted and copied certifying that these are copies of the original by the Approved Organisation, except in the case of prospective NEIS-PPP Trainees who apply for a training place through a distance provider or who are from rural and remote locations. In these cases, relevant evidence must be sighted, copied and certified as true copies by someone who is authorised to do so (for instance, a legal practitioner). The certified copies must be sent to the Approved Organisation prior to enrolment for each prospective NEIS-PPP Trainee and retained on their file.</p>
<b>4.2 Change in Eligibility</b>	<p>A NEIS-PPP Trainee who is eligible at the Commencement of training is able to continue to participate in the Program regardless of a subsequent change in eligibility.</p>
<b>4.3 NEIS-PPP Trainee Roles and Responsibilities</b>	<p>Approved Organisations are expected to inform NEIS-PPP Trainees of their roles and responsibilities. Expectations relating to Program participation include, but are not limited to, the NEIS-PPP Trainee:</p> <ul style="list-style-type: none"> <li>• attending any scheduled appointments with an Approved Organisation or, if unable to attend, providing adequate notice and explanation;</li> <li>• completing required forms and providing evidence to the Approved Organisation of identity – this includes acknowledging in writing that providing false or misleading information to the Commonwealth is a criminal offence;</li> <li>• attending training;</li> <li>• providing evidence of their eligibility, where required, to the Approved Organisation prior to a confirmation of enrolment being entered on to PIMS.</li> </ul>
<b>4.4 Waivers</b>	<p>In Exceptional Circumstances, DEEWR may, at its discretion waive the requirement for a NEIS-PPP Trainee to meet</p>

	<p>provisions in these Guidelines.</p> <p>In all cases, the Approved Organisation must request the waiver in writing, setting out the reasons why it is requesting the waiver of the requirements outlined in these Guidelines.</p> <p>DEEWR will consider applications for a waiver on a case-by-case basis. All applications should be forwarded to the relevant DEEWR Contract Liaison Officer, for their consideration and final decision.</p> <p>The nature, frequency and source of requests for waivers will be monitored by DEEWR.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>• The NEIS-PPP Trainee’s personal circumstances change to the degree that they cannot continue and need to change the chosen qualification and/or Approved Organisation.</li> <li>• The chosen qualification is cancelled and/or the Approved Organisation is unable to continue delivery of the training to the NEIS-PPP Trainee and in order to continue training the NEIS-PPP Trainee needs to transfer to another Approved Organisation.</li> <li>• The provisions of these Guidelines unintentionally preclude an individual from being eligible for training under the Program.</li> </ul>
<p>4.5 <b>Complaints and Appeals</b></p>	<p>Approved Organisations are required under the AQTF standards to have policies and procedures in place for dealing with customer complaints in a constructive and timely manner, including appeals procedures.</p> <p><b>Complaints about Approved Organisations</b></p> <p>If a NEIS-PPP Trainee is dissatisfied with the quality of service or the training received, the Approved Organisation should endeavour to resolve the issues with the NEIS-PPP Trainee. If they would like more information on how to lodge a complaint, Approved Organisations must direct the NEIS-PPP Trainee through their formal complaints procedures.</p> <p>If the NEIS-PPP Trainee wishes to make a complaint about the Program or if a NEIS-PPP Trainee wishes to appeal a decision made by an Approved Organisation, they should email the PPP at <a href="mailto:productivityplaces@deewr.gov.au">productivityplaces@deewr.gov.au</a> outlining the following:</p> <ul style="list-style-type: none"> <li>• Their NEIS-PPP Trainee name and contact details;</li> <li>• The full name of the RTO;</li> </ul>

	<ul style="list-style-type: none"><li>• The full name of the referring NEIS provider;</li><li>• The full name of the course applied for; and</li><li>• The complaint or the reasons for appeal.</li></ul> <p>If a NEIS-PPP Trainee does not have access to the internet, they should call the <i>Skilling Australia for the Future</i> hotline on 13 38 73, and the NEIS-PPP Trainee will be assisted in lodging their complaint or appeal.</p> <p>DEEWR Contract Liaison Officers will work with Approved Organisations and the NEIS-PPP Trainee to resolve these issues.</p> <p><b>Complaints about NEIS providers</b></p> <p>If a NEIS-PPP Trainee is not satisfied with the service they have received, they should raise it first with their NEIS provider. If they are still not satisfied, they should call the Job Services Australia Customer Service Line on 1800 805 260 to talk to a customer service officer, who will endeavour to resolve their concerns quickly and fairly.</p>
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<b>5 NEIS providers and the Referral Process</b>	
<b>5.1 Referral Agencies</b>	<p>Prospective NEIS-PPP Trainees wishing to undertake training as part of this Program may present themselves to the Approved Organisation through a referral agency.</p> <p>Referral agencies for the purposes of this Program are <u>only</u> NEIS providers.</p>
<b>5.2 Referral Processes for NEIS providers</b>	<p>Before referring a prospective NEIS-PPP Trainee to the Approved Organisation, a NEIS provider's role involves, among other things, determining, in accordance with the requirements set out in ESD4, whether a prospective NEIS-PPP Trainee is eligible for NEIS Services from the NEIS provider and whether their business idea will meet the NEIS business eligibility criteria. The NEIS provider will then make an assessment of whether the prospective NEIS-PPP Trainee should undertake Certificate III in Micro Business Operations or Certificate IV in Small Business Management. After this, the NEIS provider then arranges for the prospective NEIS-PPP Trainee to undertake one of the Identified Qualifications with an Approved Organisation.</p>
<b>5.3 Processes for Approved Organisations</b>	<p>Following the referral processes outlined above, Approved Organisations will:</p> <ol style="list-style-type: none"> <li>1. receive the referral from the NEIS provider.</li> <li>2. enrol the prospective NEIS-PPP Trainee in the training by submitting a confirmation of enrolment via PIMS. <b>Note:</b> an enrolment is approved when the status for the enrolment on PIMS is "Approved" and the Approved Organisation has printed the associated "letter of notification". A prospective NEIS-PPP Trainee must not commence training until the enrolment is approved.</li> <li>3. confirm with the prospective NEIS-PPP Trainee and referring NEIS provider within five working days that the enrolment was approved on PIMS. If it was approved, provide a hard copy of the letter of notification to the referring NEIS provider within five working days to advise the Commencement date of training and training site.</li> <li>4. advise DEEWR via PIMS within five working days if the NEIS-PPP Trainee: <ul style="list-style-type: none"> <li>• commences training;</li> <li>• does not commence training before their enrolment has expired;</li> <li>• seeks temporary suspension of the training;</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>• withdraws from training;</li> <li>• successfully completes the first 50 per cent of the formal training's Nominal Hours and commences the second 50 per cent of the formal training's Nominal Hours (for diploma level qualifications only); or</li> <li>• successfully completes training.</li> </ul> <p><b>5.</b> advise the referring NEIS provider via email, letter or fax, and retain copies of correspondence on the NEIS-PPP Trainee's file, within five working days if the NEIS-PPP Trainee:</p> <ul style="list-style-type: none"> <li>• commences training;</li> <li>• does not commence training before their enrolment has expired;</li> <li>• cannot be enrolled including because of non-availability of places;</li> <li>• fails to perform to course standards;</li> <li>• fails to attend classes without reasonable excuse (e.g. illness, family emergency/loss) such that the absence will prevent the NEIS-PPP Trainee from successfully completing the course;</li> <li>• seeks temporary suspension of the training;</li> <li>• withdraws from training;</li> <li>• is expelled from the Identified Qualification; or</li> <li>• completes training.</li> </ul> <p><b>6.</b> confirm the NEIS-PPP Trainee is still in training as notified by the referring NEIS provider.</p>
<p><b>5.4 Expectations of Approved Organisations</b></p>	<p>Approved Organisations will:</p> <ol style="list-style-type: none"> <li><b>1.</b> work co-operatively with local NEIS providers;</li> <li><b>2.</b> liaise with their local NEIS providers about course details;</li> <li><b>3.</b> commence NEIS-PPP Trainees in Identified Qualifications under the Program at the earliest possible time and in accordance with Section 6.5.</li> <li><b>4.</b> advise the referring NEIS provider of the Commencement date of training, completion and, on an exceptions basis, if the NEIS-PPP Trainee fails to attend training (refer Section 6.11).</li> </ol>
<p><b>5.5 Conflict of Interest</b></p>	<p>A conflict of interest may arise where there is a reasonable concern that a person or organisation's performance of duties in</p>

	<p>one capacity may be affected by other interests.</p> <p>A conflict of interest generally arises where a person or organisation has a personal, financial or business interest in a matter and also has the ability to make or influence a decision that would directly or indirectly benefit the person or organisation.</p> <p>Referrals of person's to undertake training under the Program must only be done in due consideration of the best interests of the person, and the Approved Organisations must operate to ensure that any actual, potential, or perceived conflict of interest that may arise in administration of the Program is addressed; particularly where the Approved Organisation is the same organisation as the NEIS provider.</p> <p>In accordance with the Services Contract, Approved Organisations must inform DEEWR in writing if, during the term of this contract, a conflict arises or is likely to arise.</p> <p>Where DEEWR determines that an actual, potential, or perceived conflict of interest exists, the Approved Organisation must, on request and in accordance with any instructions provided by DEEWR, provide a written statement to DEEWR demonstrating how the Approved Organisation only considers the best interests of the NEIS-PPP Trainee when referring them to training, and demonstrating how potential conflict of interests are managed and addressed.</p> <p>Where DEEWR is not satisfied that the Approved Organisation has sufficiently managed the conflict of interest, it may terminate the Service Contract with the Approved Organisation under the Services Contract.</p>
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## 6 Responsibilities of Approved Organisations

### 6.1 Overview

Approved Organisations are contracted to DEEWR to undertake specified administration services and to deliver Identified Qualifications under the Program on behalf of the Commonwealth (refer Section 7).

Before an organisation can participate in the Program, that organisation must submit an on-line application to DEEWR via PIMS, be approved by DEEWR to deliver training under the Program, have one or both of the Identified Qualifications approved by DEEWR for the purposes of the Program and be a party to an executed contract with DEEWR for the Program.

Organisations should note that providing false or misleading information to the Commonwealth is a criminal offence.

DEEWR will notify organisations via PIMS of the Identified Qualification(s) that the organisation is approved to deliver.

If the registration or accreditation of an Approved Organisation is suspended, cancelled or not renewed by the relevant registering body, the organisation will no longer be eligible to make enrolments under the Program. DEEWR will not pay organisations any Administration Fee or Qualification Cost in respect of any eligible NEIS-PPP Trainee which the organisation enrolls or commences.

If significant issues are identified with an Approved Organisation's administration of the Program or its delivery of training to NEIS-PPP Trainees, DEEWR may contact the appropriate State or Territory registering body seeking an audit of the Approved Organisation under the *AQTF 2007 Essential Standards for Registration* and the *AQTF 2007 Standards for Accredited Courses*. DEEWR may also seek to suspend activity under the contract or terminate the contract in accordance with the Services Contract.

An Approved Organisation is able to withdraw its offer to deliver an Identified Qualification. It must do this by notifying DEEWR in writing three months prior to withdrawal of an Identified Qualification. Where an Approved Organisation withdraws its offer of an Identified Qualification, it must not cancel any courses or NEIS-PPP Trainees associated with that Identified Qualification and must complete training for all enrolled NEIS-PPP Trainees, in accordance with the contract. DEEWR also requires all Approved Organisations to have in place fraud risk assessment processes and control plans, and must notify DEEWR of any cases of suspected or alleged fraud.

<p>6.2 <b>Administrative Services</b></p>	<p>Approved Organisations are required to undertake the administrative services at Sections 6.3-6.12 (inclusive) of these Guidelines for each NEIS-PPP Trainee, and to allow DEEWR to monitor and audit these functions from time to time as specified in the Services Contract.</p> <p>Approved Organisations must fulfil all contractual obligations outlined in the Services Contract and these Guidelines and comply with all relevant Commonwealth, State and Territory legislation (e.g. legislation in relation to privacy), and all relevant national standards which apply to their organisation (e.g. the National Standards for RTOs).</p>
<p>6.3 <b>Confirming Identity and Eligibility</b></p>	<p>Prior to enrolment, Approved Organisations must ensure they have received a copy of the referral letter from the NEIS provider.</p> <p>NEIS-PPP Trainees will be expected to provide proof of identity. Copies must be retained on the prospective NEIS-PPP Trainee's file. This should be in a form that can be retrieved and used to support any decision made by the Approved Organisation about the prospective NEIS-PPP Trainee's eligibility at a later date, i.e. during routine monitoring by DEEWR.</p> <p>The confirmation of enrolment form must be retained on the prospective NEIS-PPP Trainee's file and is available via PIMS. It must be used for each prospective NEIS-PPP Trainee to the Program. This form includes:</p> <ul style="list-style-type: none"> <li>• the prospective NEIS-PPP Trainee's details including eligibility criteria and evidence required;</li> <li>• qualification details;</li> <li>• statutory declaration;</li> <li>• privacy notice;</li> <li>• prospective NEIS-PPP Trainee's declaration; and</li> <li>• Approved Organisation's declaration.</li> </ul>
<p>6.4 <b>Informing NEIS-PPP Trainees about the Program</b></p>	<p>Prior to enrolment of a prospective NEIS-PPP Trainee, Approved Organisations must provide to NEIS-PPP Trainees (and retain documentary evidence on each prospective NEIS-PPP Trainee's file, as appropriate):</p> <ul style="list-style-type: none"> <li>• information about, and an explanation of, the Program in a format accessible to diverse prospective NEIS-PPP Trainee groups;</li> <li>• a description of the Identified Qualifications DEEWR has approved the Approved Organisation to deliver under the Program, including an outline of the delivery mode/s and</li> </ul>

	<p>hours;</p> <ul style="list-style-type: none"> <li>• where appropriate, an RPL assessment or Credit Transfer undertaken; and</li> <li>• a completed confirmation of enrolment form.</li> </ul> <p>To avoid the creation of duplicate enrolments, it is vital that Approved Organisations inform NEIS-PPP Trainees that their record of enrolments can be tracked on PIMS and that second or multiple attempts to enrol in further training may be rejected.</p>
<p>6.5 <b>Confirmation of Enrolment</b></p>	<p>Approved Organisations must provide a confirmation of enrolment form to DEEWR electronically via PIMS for each prospective NEIS-PPP Trainee they enrol in the Program. This is done by entering all required information into the system and then pressing the “Submit to DEEWR” button. Pressing the “Save” button only, will not submit the confirmation of enrolment to DEEWR.</p> <p>When attempting to submit a confirmation of enrolment, if the confirmation of enrolment has been:</p> <ul style="list-style-type: none"> <li>• “Saved” and the status appears as “Draft”, the confirmation of enrolment has not been successfully submitted to DEEWR. Therefore, the enrolment has not been approved or confirmed by DEEWR and no training place has been allocated to the prospective NEIS-PPP Trainee. In this case, the Approved Organisation must not advise the prospective NEIS-PPP Trainee that they have been successfully enrolled, or that they have been allocated a training place, and the Approved Organisation must not commence the prospective NEIS-PPP Trainee in training.</li> <li>• Submitted to DEEWR and the status appears as “Decision Pending”, the confirmation of enrolment has been submitted to DEEWR but is being assessed and may/may not be approved by DEEWR. In this case, the Approved Organisation must not advise the prospective NEIS-PPP Trainee that they have been enrolled, or that they have been allocated a training place, and the Approved Organisation must not commence the prospective NEIS-PPP Trainee in training.</li> </ul> <p>An enrolment is only approved and confirmed by DEEWR when:</p> <ul style="list-style-type: none"> <li>• the Approved Organisation has successfully submitted the confirmation of enrolment to DEEWR;</li> <li>• the status of the confirmation of enrolment on PIMS is “Approved”; and</li> <li>• DEEWR has confirmed the enrolment by issuing a Letter of Notification via PIMS.</li> </ul>

	<p>The Approved Organisation must only advise the prospective NEIS-PPP Trainee that their enrolment has been approved by DEEWR and commence the prospective NEIS-PPP Trainee in training where DEEWR has approved and confirmed the enrolment (as per the process outlined above) and the Approved Organisation has printed the Letter of Notification (refer Section 6.6) and provided a copy to the NEIS-PPP Trainee.</p> <p>The confirmation of enrolment must be submitted via PIMS no later than one week prior to the Commencement date of training for the Identified Qualification. This allows the prospective NEIS-PPP Trainee, with their Job Services Australia provider (if appropriate), to prepare for training, consider their choice and to raise any concerns with the Approved Organisation or DEEWR. It also provides time for DEEWR to confirm the enrolment and to resolve any administrative problems i.e. duplicate enrolments.</p> <p>In addition, the confirmation of enrolment cannot be submitted more than six weeks prior to the Commencement date of the Identified Qualification. This avoids long delays between the confirmation of enrolment being submitted and the qualification commencing.</p> <p>The on-line system will not allow Approved Organisations to submit confirmation of enrolments for Identified Qualifications that have Commencement dates less than one week or more than six weeks after the date of submission.</p> <p>All confirmation of enrolments must include:</p> <ul style="list-style-type: none"> <li>• the prospective NEIS-PPP Trainee's name;</li> <li>• the prospective NEIS-PPP Trainee's address;</li> <li>• the prospective NEIS-PPP Trainee's date of birth;</li> <li>• the prospective NEIS-PPP Trainee's Job Seeker identification number and Job Services Australia provider;</li> <li>• whether the prospective NEIS-PPP Trainee self identifies as being an Aboriginal or Torres Strait Islander;</li> <li>• the name of the Identified Qualification;</li> <li>• name of the Approved Organisation;</li> <li>• total qualification costs, as approved by DEEWR;</li> <li>• location where the Identified Qualification will be undertaken;</li> <li>• how the prospective NEIS-PPP Trainee came to training i.e. NEIS provider referral;</li> </ul>
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	<ul style="list-style-type: none"> <li>• name of referring NEIS provider;</li> <li>• date of Commencement;</li> <li>• expected completion date;</li> <li>• outcome of RPL assessment;</li> <li>• details of any Credit Transfers for prior training; and</li> <li>• delivery mode (i.e. part-time, distance).</li> </ul> <p>By submitting the confirmation of enrolment, the Approved Organisation is confirming that it has undertaken all administrative requirements necessary under the Guidelines in assessing the prospective NEIS-PPP Trainee's eligibility for the Program (refer Section 6.3).</p> <p>All evidence supporting a prospective NEIS-PPP Trainee's application must be collected by the Approved Organisation and must be on file prior to an Approved Organisation submitting the confirmation of enrolment to DEEWR.</p> <p>Changes to information in the confirmation of enrolment must be done prior to the expected qualification Commencement date. Changes will not be accepted after the expected Commencement date has passed.</p> <p>Approved Organisations will not be able to submit confirmation of enrolments if the Program training places for the relevant period have been fully allocated. In accordance with the Services Contract, DEEWR will inform Approved Organisations via PIMS if the allocation of training places in a particular Identified Qualification has been reached.</p>
<p>6.6 <b>Letter of Notification</b></p>	<p>Once a confirmation of enrolment has been successfully submitted via PIMS, DEEWR will confirm the enrolment by noting the status of the enrolment as "Approved" on PIMS and issuing a Letter of Notification via PIMS.</p> <p>This letter will provide the NEIS-PPP Trainee with the following:</p> <ul style="list-style-type: none"> <li>• Approved Organisation name and details;</li> <li>• the training location and contact details;</li> <li>• qualification to be undertaken;</li> <li>• Commencement date of training and expected completion date; and</li> <li>• the Nominal Hours of training and how this is to be delivered, including any Credit Transfers or RPL.</li> </ul> <p>The Letter of Notification will also provide NEIS-PPP Trainees with</p>

	<p>a unique identification number. This identification number will enable DEEWR to effectively identify and assist NEIS-PPP Trainees.</p> <p>A copy of this letter must be retained on the NEIS-PPP Trainee's file and a copy must be provided to the NEIS-PPP Trainee and NEIS provider for their records within five days of the enrolment being approved and confirmed by DEEWR.</p>
<p>6.7 <b>Administrative Processes for Change in an Enrolment</b></p>	<p>If a NEIS-PPP Trainee wants to change the Identified Qualification in which they are enrolled with the same Approved Organisation, they may do so providing they have not commenced the original qualification, the Commencement date has not passed and the referring NEIS provider agrees. The administration fee will only be paid once to that Approved Organisation even if the NEIS-PPP Trainee transfers into another Identified Qualification and commences training.</p> <p>If the NEIS-PPP Trainee wishes to change to a different Approved Organisation they may do so as long as the Commencement date of the original qualification has not passed and the referring NEIS provider agrees. The original Approved Organisation must cancel the NEIS-PPP Trainee from the original qualification before the NEIS-PPP Trainee can enrol at the new Approved Organisation. One administration fee only will be payable to the Approved Organisation that commences the NEIS-PPP Trainee in training.</p> <p>NEIS-PPP Trainees are able to defer the Commencement date of training once, for no more than six weeks. This must be done prior to the Commencement date of training as stated in PIMS.</p> <p>NOTE: Approved Organisations must inform all NEIS-PPP Trainees who seek to defer the Commencement date of their training, or to change the Identified Qualification in which they are enrolled, that their social security entitlements may be affected if they do so and that they should contact their Job Services Australia Provider or Centrelink to discuss whether their social security entitlements will be affected</p> <p>A NEIS-PPP Trainee can only be enrolled in one qualification at any one time.</p> <p>Approved Organisations must advise DEEWR, via PIMS within five working days, of any cancellation or transfer of enrolment.</p>
<p>6.8 <b>Administrative Processes for the Suspension of Training</b></p>	<p>If a NEIS-PPP Trainee needs to suspend the training after they have commenced, in Exceptional Circumstances, they can do so. This must be done in consultation with the Approved Organisation and referring NEIS provider. Approved Organisations are expected to make detailed notes in the NEIS-PPP Trainee's file regarding the circumstances and issues, including any relevant documentation to support the suspension, such as a medical</p>

	<p>certificate.</p> <p>NOTE: Approved Organisations must inform all NEIS-PPP Trainees who seek to suspend their training, that their social security entitlements may be affected if they do so and that they should contact their Job Services Australia Provider or Centrelink to discuss whether their social security entitlements will be affected.</p>
<p>6.9 <b>Approved Organisations Availability of Qualifications</b></p>	<p>Approved Organisations must commence NEIS-PPP Trainees in training at the earliest possible time but no earlier than one week after the Date of Enrolment. Qualification commencement dates must be no longer than six weeks after the Date of Enrolment.</p> <p>In Exceptional Circumstances, where it is not possible to commence training within this timeframe, the Approved Organisation may seek an exemption from DEEWR.</p>
<p>6.10 <b>Delivering Identified Qualifications</b></p>	<p>Once a confirmation of enrolment has been submitted to DEEWR via PIMS and DEEWR has approved and confirmed the enrolment by noting the status of the enrolment as “Approved” on PIMS and issuing a Letter of Notification via PIMS, the Approved Organisation must deliver the Identified Qualification to the NEIS-PPP Trainee.</p> <p>If an Approved Organisation is unable to commence the Identified Qualification which has NEIS-PPP Trainees successfully enrolled on PIMS (i.e. where DEEWR has approved and confirmed the enrolments by noting the status of the enrolments as “Approved” on PIMS and issuing a Letter of Notification via PIMS), the Approved Organisation must notify the referring NEIS provider immediately.</p>
<p>6.11 <b>Reporting Training Outcomes</b></p>	<p>Approved Organisations must inform DEEWR within five working days of when a NEIS-PPP Trainee commences, leaves, or completes their training by entering this information onto PIMS via the “manage milestones” option.</p> <p>Approved Organisations must also inform the referring NEIS provider within five working days in writing when a NEIS-PPP Trainee commences or completes training and when a NEIS-PPP Trainee leaves or fails to attend their training such that it jeopardises successful completion of the course (refer Section 5.3).</p> <p>Copies of correspondence must be retained on the NEIS-PPP Trainee’s file.</p> <p>A Commencement milestone cannot be entered onto PIMS until enrolment is approved and confirmed by DEEWR (by noting the status of the enrolments as “Approved” on PIMS and issuing a Letter of Notification via PIMS) and formal training has commenced.</p>

	<p>For Approved Organisations delivering face-to-face training, a Commencement milestone cannot be entered onto PIMS until:</p> <ul style="list-style-type: none"> <li>• the course Commencement date has passed; and</li> <li>• the NEIS-PPP Trainee has attended face-to-face training for no less than two days following Commencement of that training.</li> </ul> <p>For Approved Organisations delivering distance or on-line learning, a Commencement milestone cannot be entered onto PIMS until:</p> <ul style="list-style-type: none"> <li>• the course Commencement date has passed;</li> <li>• the NEIS-PPP Trainee has provided written acknowledgement of receipt of training materials from the Approved Organisation;</li> <li>• there has been an exchange of written correspondence between the Approved Organisation (for the Identified Qualification) and the NEIS-PPP Trainee detailing what instruction, advice, training assistance and schedule of contact the trainer will provide to the NEIS-PPP Trainee;</li> </ul> <p>For distance or on-line learning modes, sending an email or letter to the NEIS-PPP Trainee will not be viewed by DEEWR as sufficient contact to warrant the entry of a Commencement milestone. In addition, contact with NEIS-PPP Trainees must be logged in a contact log maintained on each NEIS-PPP Trainee's file.</p> <p>Completion milestones must be recorded via PIMS to initiate a Completion Payment.</p> <p>For those NEIS-PPP Trainees receiving a 100 per cent RPL, entering a completion milestone for the NEIS-PPP Trainee indicates that the Approved Organisation has completed the assessment of the NEIS-PPP Trainee and the NEIS-PPP Trainee has received their certificate of qualification.</p> <p>DEEWR will closely monitor completion and withdrawal rates. If significant issues are identified with an Approved Organisation as a result of this monitoring, DEEWR may contact the appropriate registering body seeking an audit of the organisation under the AQTF and recover any costs paid to the Approved Organisation as detailed in the Services Contract.</p> <p>Approved Organisations must contact DEEWR for clarification of issues as they arise and notify DEEWR immediately of any issues that may affect the management or administration of the Program.</p>
<p><b>6.12 Records Management</b></p>	<p>Approved Organisations must maintain paper records of information collected from, and provided to, all NEIS-PPP Trainees,</p>

including a separate file for each NEIS-PPP Trainee who is issued with a confirmation of enrolment. Files must include, but need not be limited to:

- proof of the NEIS-PPP Trainee's identity and eligibility, as set out in Section 4.1. Black and white photocopies of evidence must be confirmed as copies of the original evidence by the person conducting the enrolment e.g. this is a true copy of the original evidence, initials and date;
- a copy of the Letter of Notification;
- a signed copy of the confirmation of enrolment form, available via PIMS, including the statutory declaration;
- a signed privacy notice in a form provided by DEEWR;
- a detailed record of any RPL assessment;
- a detailed record of any Credit Transfer;
- detailed records of any waiver requests/approvals;
- a record of contact with the NEIS-PPP Trainee regarding their training, including a record of daily attendance signed/initialled by the NEIS-PPP Trainee or phone/email log detailing content of dialogue exchange;
- a record of any complaints made by the NEIS-PPP Trainee or made by the NEIS provider in connection with that NEIS-PPP Trainee;
- evidence of why a NEIS-PPP Trainee has withdrawn, e.g. a letter/email from NEIS-PPP Trainee confirming withdrawal and a copy provided to the NEIS provider; and
- other documents set out in the Guidelines or directed by DEEWR from time to time.

Where a Commencement Payment has been claimed, the Approved Organisation must be able to provide evidence of the NEIS-PPP Trainee's participation in training i.e. assessments and attendance records.

Where a Completion Payment has been claimed, evidence of completion must be kept on the NEIS-PPP Trainee's file. This must be a copy of the NEIS-PPP Trainee's certificate and the competency assessment summary for the full qualification.

The Approved Organisation will need to retain these records for a minimum period of seven years and make them available for inspection by DEEWR officers upon request in accordance with the Services Contract.

Approved Organisations must comply with the requirements

	<p>outlined in Section 13.5 of these Guidelines in relation to NEIS-PPP Trainees' personal information.</p> <p>As specified in the Services Contract, Approved Organisations must submit data to their relevant registering body on the training activity funded under the Program. The data must be provided in a form that is compliant with the Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS).</p> <p>You must ensure that the data is recorded as 'Commonwealth specific purpose programs' under the Funding Source - National Identifier (AVETMISS VET Provider Collection Release 6.0), through the arrangements operated by your registering body.</p> <p>Approved Organisations must enter details onto PIMS of cancellations, Commencements, instances where the NEIS-PPP Trainee does not commence, completions and withdrawals within five working days of each milestone being achieved. Cancellation of training must be recorded on PIMS prior to the Commencement date. Referring NEIS providers, if applicable, must also be advised of these details in writing within the same timeframe.</p> <p>Relevant information must be passed to the referring NEIS provider by letter, fax or email as agreed with the NEIS provider. Copies of this must be retained on the NEIS-PPP Trainee's file.</p>
<p><b>6.13 Marketing</b></p>	<p>Approved Organisations are able to market and promote the Program subject to:</p> <ul style="list-style-type: none"> <li>• the promoted Identified Qualifications being within the Approved Organisation's current scope of registration; and</li> <li>• the training being consistent with, or included in, the NEIS-PPP Trainee's Employment Pathway Plan.</li> </ul> <p>All costs associated with this marketing must be met by the Approved Organisation.</p> <p>Approved Organisations must keep copies of all marketing materials produced in relation to the Program on file and must supply copies to DEEWR if requested.</p> <p>Marketing material and activities must acknowledge the Australian Government funding. Approved Organisations must do this by using the following: "The <i>Productivity Places Program</i> is funded by the Australian Government", as well as providing a link to the program website <a href="http://www.productivityplaces.deewr.gov.au">www.productivityplaces.deewr.gov.au</a>.</p> <p>Approved Organisations must not offer or include in promotional materials any incentives or inducements for prospective NEIS-PPP Trainees to take up training, such as free items and shopping vouchers. DEEWR reserves the right to withdraw approval for the Approved Organisation to deliver training under the Program and</p>

	<p>terminate the Services Contract if the Approved Organisation is found to offer incentives or inducements to take up training.</p> <p>If Approved Organisations wish to use the Australian Government logo or other program logos they must contact DEEWR for copies of the logos and advice on how to use them.</p> <p>For marketing services, Approved Organisations must not enter into subcontracting arrangements unless the arrangements have been approved in writing by DEEWR (refer Section 8.2).</p>
<p>6.14 <b>Contact with the Department</b></p>	<p>Approved Organisations will be provided with a DEEWR Contract Liaison Officer for the duration of their contract period. When contacting a Contract Liaison Officer an Approved Organisation should provide their NTIS RTO identifier number, as this will assist the Contract Liaison Officer in quickly and accurately responding to queries.</p> <p>Contract Liaison Officers will endeavour to answer queries in a timely manner. Approved Organisations should leave a voice message if your call is not answered <u>or</u> send an email with your inquiry. An approved Organisation should not make multiple contacts (phone messages/emails) with their Contract Liaison Officer or contact a different Contract Liaison Officer as this causes inefficiencies in the communication process through double-handling of inquiries.</p> <p>If NEIS-PPP Trainees wish to speak to DEEWR regarding the Program, they should be referred to the <i>Skilling Australia for the Future</i> Hotline (13 38 73) or to the PPP Inbox at <a href="mailto:productivityplaces@deewr.gov.au">productivityplaces@deewr.gov.au</a>.</p> <p>Contract Liaison Officers are not to be contacted directly by NEIS-PPP Trainees. Each Approved Organisation has responsibility for liaison with NEIS-PPP Trainees.</p> <p>DEEWR will periodically issue updates on the Program via the PIMS bulletin board or email to the contact person at the Approved Organisation identified on PIMS. This contact person should be identified at all times. The contact person identified on PIMS will be responsible for forwarding on the information to all persons responsible for managing the Program in their organisation.</p>

<b>7 Commonwealth Responsibilities</b>	
<b>7.1 Program Management Overview</b>	<p>DEEWR is responsible for the overall management of the Program on behalf of the Commonwealth.</p> <p>The DEEWR program delegate is the Branch Manager, Industry Engagement Branch, located in DEEWR's National Office in Canberra.</p>
<b>7.2 Program Budget Management</b>	<p>DEEWR is responsible for managing the Program budget.</p> <p>DEEWR will monitor the Program budget closely and may adjust allocations on a regular basis and reserves the right to limit the number of training places available under the Program.</p> <p>DEEWR will notify Approved Organisations in the event that the number of training places available is limited. In such an instance, DEEWR will not be liable to Approved Organisations for the payment of any training cost or assessment fee for a NEIS-PPP Trainee for whom the Approved Organisation has not already successfully submitted a properly completed confirmation of enrolment to DEEWR via PIMS and where DEEWR has approved and confirmed the enrolment by noting the status of the enrolments as "Approved" on PIMS and issuing a Letter of Notification via PIMS (refer to Section 6.5 and 6.6), and where that enrolment would exceed the funding limit.</p>
<b>7.3 Program Allocation Management</b>	<p>DEEWR is responsible for the allocation of training places.</p> <p>Training places will be allocated to states and territories based on working age population. 18 900 PPP places will be made available to NEIS-PPP Trainees over three years from 1 July 2009. 6 300 places will be made available annually, over 4 allocations to states and territories. Each quarterly allocation will be for a total of 1575 places. The allocations will occur on in the first week of July, October, January and April each year. DEEWR will monitor the allocation of training places and will notify Approved Organisations via PIMS if the allocation of training places has been reached in accordance with the Services Contract.</p> <p>In accordance with the Services Contract, if DEEWR revokes the approval for an Identified Qualification, Approved Organisations will be given three months notice via PIMS.</p>
<b>7.4 Amendments to Guidelines</b>	<p>DEEWR may at any time amend the Guidelines by providing additional information or clarification to Approved Organisations.</p> <p>DEEWR can do this without prejudice to the rights, liabilities or obligations of DEEWR, Approved Organisations and NEIS-PPP Trainees.</p>

<p>7.5 <b>Contract Management</b></p>	<p>DEEWR:</p> <ul style="list-style-type: none"> <li>• is responsible for managing Services Contracts with Approved Organisations under the Program; and</li> <li>• will enter into a Services Contract with each Approved Organisation.</li> </ul> <p>Under the Services Contract, parties can mutually agree to vary the contract.</p>
<p>7.6 <b>Management of IT for the Program</b></p>	<p>DEEWR is responsible for initiating and overseeing the development and maintenance of PIMS.</p>
<p>7.7 <b>Monitoring and Auditing</b></p>	<p>DEEWR will closely monitor the administration and delivery of training to NEIS-PPP Trainees under the Program (i.e. Identified Qualifications, modes of delivery), including all RPL and credit transfer assessments by Approved Organisations, and student cancellation, non-Commencement, completion and withdrawal rates for NEIS-PPP Trainees for each Approved Organisation.</p> <p>DEEWR may conduct audits and site visits, as well as request access to employees of Approved Organisations, NEIS-PPP Trainees and material associated with the Program in accordance with the Services Contract. Additionally, the Approved Organisation must make its premises, books and records available without notice to DEEWR's Investigations Branch, the department's National Investigation Unit, officers on production of photographic identification, where an actual or alleged breach of the law is being investigated.</p> <p>If breaches to the Services Contract are identified with an Approved Organisation's administration of the Program or its delivery of training to NEIS-PPP Trainees, DEEWR may contact the appropriate registering body seeking an audit of the organisation under the AQTF.</p> <p>DEEWR will develop, implement and manage quality assurance processes across all aspects of the Program, including contract management and decision making, performance monitoring, payments and service standards. DEEWR will also develop national Program risk assessments and management strategies.</p>
<p>7.8 <b>Provision of High Level Advice and Dispute Resolution</b></p>	<p>DEEWR will:</p> <ul style="list-style-type: none"> <li>• be responsible for ensuring consistency in the interpretation and application of policy by acting as a reference point, final arbiter, policy helpdesk and author of Program related documents; and</li> <li>• endeavour to manage and resolve any complaints or other issues referred to DEEWR by Approved Organisations.</li> </ul>

	DEEWR will do this in a timely manner.
7.9 <b>General Program Management</b>	<p>Other DEEWR responsibilities include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• promoting the Program as part of the <i>Skilling Australia for the Future</i> initiative, including developing and managing marketing and communications strategies nationally;</li> <li>• updating these Guidelines and supporting documentation as required and effectively communicating these additions/changes to Approved Organisations;</li> <li>• developing and maintaining strong relationships with key Program stakeholders using both formal and informal communication channels;</li> <li>• advising the Australian Government on the Program and its administration; and</li> <li>• ensuring consistency in interpretation and application of policy by acting as a reference point, final arbiter, policy helpdesk and author of Program related documents.</li> </ul>
7.10 <b>Commonwealth Material</b>	<p>Ownership of all Commonwealth Material, including Intellectual Property Rights in that Material remains vested at all times in the Commonwealth.</p> <p>DEEWR may grant approved organisations a licence to use, copy and reproduce that material only for the purposes of this program and in accordance with any conditions or restrictions specified in an approved organisations Services Contract.</p> <p>Any course materials or systems developed by an approved organisation for the delivery of training as part of eligible qualifications will not be either contract or existing materials for the purposes of the Services Contract. DEEWR does not seek either intellectual property or a licence in those training materials.</p>
7.11 <b>Contact Information</b>	<p>A telephone infoline (<i>Skilling Australia for the Future</i> Hotline 13 38 73) and website (<a href="http://www.productivityplaces.deewr.gov.au">www.productivityplaces.deewr.gov.au</a>) where NEIS-PPP Trainees will be able to access information on the Program is available.</p> <p>DEEWR will operate a website for the PPP that will include information relating to PPP for NEIS-PPP Trainees and a list of Approved Organisations.</p> <p>The Branch Manager, Industry Engagement Branch, located in DEEWR's National Office in Canberra, is the National Program manager and is responsible for the overall Program management.</p>

<b>8 Request for Organisations to Participate</b>	
<p><b>8.1 Submissions to Become Approved Organisations</b></p>	<p>At its sole discretion, DEEWR will invite RTOs to participate in the Program via an RTP. The first RTP was opened from 7 April 2009 to 1 May 2009 to engage RTOs to deliver PPP for NEIS-PPP Trainees from 1 July 2009.</p> <p>Any RTO which has scope to deliver one or both of the Identified Qualifications was able to apply to DEEWR to participate in the Program.</p> <p>At its sole discretion, DEEWR may implement subsequent RTPs to invite RTOs to participate in the Program.</p> <p>RTOs with an assessment only defined scope of registration, i.e. who only offer assessment services and issue AQTF qualifications and statements of attainment, are not eligible for the Program as they are unable to deliver all of the services required under the Services Contract. In addition, DEEWR is unable to enter into Services Contracts with consortium arrangements under this Program.</p>
<p><b>8.2 Subcontracting</b></p>	<p>Organisations wishing to subcontract components of the Program must obtain prior written approval from DEEWR before entering into any subcontracting arrangement. For the purposes of this Program, 'subcontracting' includes AQTF Partnership Agreements in accordance with the Services Contract.</p> <p>Components under the contract include marketing, promotion, administration and any activities relating to the training and assessment of NEIS-PPP Trainees.</p> <p>If an Approved Organisation would like to enter into a subcontracting arrangement under PPP, written advice must be provided to DEEWR, including but not limited to:</p> <ul style="list-style-type: none"> <li>• the proposed subcontractor's legal entity and trading names;</li> <li>• the proposed subcontractor's ABN or ACN;</li> <li>• details of the components of the Program that the subcontractor will undertake; and</li> <li>• assurances that the agreement will meet the requirements set out in Schedule 1 of the Services Contract.</li> </ul> <p>Please note that Approved Organisations should seek independent legal advice to ensure that the subcontract meets the legal requirements as specified in Schedule 1 of the Services Contract.</p> <p>All requests should be forwarded to DEEWR. All requests for subcontracting arrangements will be considered on a</p>

	<p>case-by-case basis and are only likely to be approved where the subcontracting arrangements will assist in expanding the geographic delivery of the courses, or where they assist in expanding the delivery of the range of qualifications.</p> <p>If the subcontracting arrangement is approved by DEEWR, the Approved Organisation will be required to forward copies of the subcontract to DEEWR and a copy will be placed on the Approved Organisation's file.</p> <p>Approved Organisations must not enter into any agreements with NEIS providers on a fee for service basis. This will be viewed by DEEWR as a conflict of interest (refer Section 5.5) and breach of contract.</p>
<p>8.3 <b>Assessment of Submissions</b></p>	<p>DEEWR will assess submissions to ensure an organisation is eligible to participate in the Program and determine whether to accept the qualifications that have been submitted by the organisation.</p> <p>In making its determination DEEWR will consider:</p> <ul style="list-style-type: none"> <li>• the ratio of tuition costs to material/equipment and administration costs;</li> <li>• the Nominal Hours of training and relationship of this to overall tuition costs;</li> <li>• the performance and quality of training provided by the RTO under other Government programs; and</li> <li>• the price competitiveness of the training costs.</li> </ul>

<b>9 Payments</b>	
<b>9.1 Program Administration Fees</b>	<p>Subject to this Section, Approved Organisations will receive an administration fee of \$110 (GST inclusive) for the provision of Program administration services for each eligible NEIS-PPP Trainee with a confirmation of enrolment that has been successfully submitted to DEEWR via PIMS, where approval has been confirmed by DEEWR noting the status of the enrolment as “Approved” on PIMS and issuing a Letter of Notification via PIMS (refer to Section 6.5 and 6.6).</p> <p>The payment of Program administration fees will be initiated by the NEIS-PPP Trainee’s Commencement of training and the Approved Organisation entering this information onto PIMS via the “Manage Milestones” option within the required timeframe.</p> <p>The administration fee to be paid to Approved Organisations will be processed at the same time as the Commencement Payment. However, it will be invoiced separately.</p> <p>In the event that a NEIS-PPP Trainee enrolls but does not commence their Identified Qualification the Approved Organisation will not receive the administration fee.</p>
<b>9.2 Payments for Identified Qualification Costs</b>	<p>Approved Organisations will receive payments in accordance with this Section for enrolments where a confirmation of enrolment has been successfully submitted to DEEWR via PIMS, DEEWR has approved the enrolment by noting the status of the enrolment as “Approved” on PIMS and issued a Letter of Notification via PIMS (refer to Section 6.5 and 6.6).</p> <p>Identified Qualification costs will be paid in the form of milestone payments. These fees will be paid in the following ratio:</p> <ul style="list-style-type: none"> <li>• a Commencement Payment of 50 per cent of the total qualification costs; and</li> <li>• a Completion Payment of 50 per cent of the total qualification costs.</li> </ul> <p>Where a credit transfer applies, the Identified Qualification cost is the full cost of the qualification multiplied by the percentage (expressed as a decimal) of the remainder of the qualification to be delivered.</p> <p>Once the Commencement date has passed, the Approved Organisation must confirm that the NEIS-PPP Trainee has commenced the Identified Qualification within the required timeframe. This confirmation is provided via PIMS by selecting the “Manage Milestones” option and updating the information.</p> <p>Commencement Payments cannot be triggered until the course Commencement date has passed and the NEIS-PPP Trainee has</p>

	<p>commenced study (refer to Section 6.11).</p> <p>To trigger the Completion Payment (refer Section 2, Definitions), the Approved Organisation must update the completion milestone by selecting the 'Training Milestones' option and updating the information (refer to Section 6.11).</p> <p>Canceling a payable milestone (100 per cent RPL, NEIS-PPP Trainee commences training, or NEIS-PPP Trainee completes training) will result in that payment being reclaimed by DEEWR.</p> <p>Entering a milestone that signals an end to the NEIS-PPP Trainee's training (i.e. qualification is cancelled) will result in any current or subsequent funding for that NEIS-PPP Trainee to be reallocated.</p> <p>There will be no requirement for the Approved Organisation to return the cost of training milestone payments that have already been paid should the NEIS-PPP Trainee fail to continue with the Identified Qualification beyond that milestone.</p> <p>In accordance with the Services Contract, DEEWR will not be responsible for any costs in excess of the Identified Qualification cost, and any costs in excess of this must not be passed on to the NEIS-PPP Trainee.</p>
<p>9.3 <b>Amending Payment Structures</b></p>	<p>DEEWR has the right to amend the timing and frequency of the payment of training costs at its absolute discretion. If DEEWR changes the payment structure, Approved Organisations will be informed in writing of the amendments.</p>
<p>9.4 <b>Invoicing</b></p>	<p>Payments will be generated by PIMS in accordance with Sections 9.1 and 9.2 of these Guidelines.</p> <p>Approved Organisations must not create and send invoices to DEEWR. PIMS will generate recipient created tax invoices for payment. These invoices will be generated on PIMS between 25-30 days after the Commencement milestone has been submitted. Payments for Program administration fees and tuition will be batched separately.</p> <p>Approved Organisations will be able to check these invoices through PIMS and should notify DEEWR if there is an error. It is the responsibility of Approved Organisations to check the accuracy of the recipient created tax invoices.</p> <p>Generally, payment of fees will be made 30 days after lodgement by Approved Organisations via PIMS of the appropriate milestone (Commencement/completion).</p> <p>Approved Organisations will be asked to acknowledge that upon entering into its Services Contract with the Australian Government the Approved Organisation is registered for GST. The Approved Organisation will notify DEEWR if the Approved</p>

	<p>Organisation ceases to be registered for GST.</p> <p>DEEWR acknowledges that it is registered for GST.</p> <p>DEEWR will notify the Approved Organisation if DEEWR ceases to be registered for GST.</p>
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## 10 IT Systems

<p><b>10.1 Productivity Places Program Information Management System</b></p>	<p>The Program will be managed within PIMS.</p> <p>The system will:</p> <ul style="list-style-type: none"> <li>• describe the outcomes being achieved, and enable analysis of the extent to which the expenditure of Australian Government funding is appropriate, effective and efficient;</li> <li>• establish a system of continuous feedback through financial and NEIS-PPP Trainee reports to Approved Organisations and DEEWR about the performance of Approved Organisations in the Program;</li> <li>• provide qualitative and quantitative evidence for the evaluation of the Program; and</li> <li>• inform on-going policy and Program development.</li> </ul> <p>DEEWR will manage the continuous evaluation of the Program, using a range of tools to gather information on baseline data, in a timely and efficient manner, as required by DEEWR to meet reporting requirements to the Australian Government.</p> <p>DEEWR will utilise a combination of techniques for collecting qualitative information about the NEIS-PPP Trainees, and analysis of national data sets. The on-line system is designed to help evaluate Program achievements against high level policy and Program objectives.</p> <p>DEEWR will use data obtained through the on-line system, along with collated data from other related sources to report on Program performance.</p>
<p><b>10.2 IT Systems Specifications</b></p>	<p>Approved Organisations are responsible for ensuring their IT hardware and software systems (and those of any approved subcontractors) are sufficient to enable them to access PIMS.</p> <p>Organisations wishing to access the system will require the following:</p> <ol style="list-style-type: none"> <li>1. 128Mb RAM, 486/66-Mhz processor or higher, 1 Gb free hard disk space, 15 inch SGVA non-interlaced monitor, 101 enhanced keyboard, Microsoft compatible 2 button mouse;</li> <li>2. Web browser software (Microsoft Internet Explorer 6.0 Service Pack 2 or later is preferred);</li> <li>3. Internet connection speeds of at least 128 Kilo bits per second; and</li> </ol>

	<p>4. Internet connection through a well established and reputable internet service provider.</p>
<p>10.3 <b>Accessing PIMS</b></p>	<p>All organisations wishing to participate in the Program must register on the on-line system. When an RTO first registers they will be given Course Application access only. With this access they can enter their organisation's details and submit course applications for the Program.</p> <p>To obtain further access to the system, the RTO must download a form and fax it to DEEWR. Once the RTO has requested Admin access, they are able to give access to staff as required without the assistance of DEEWR. The following access is available through PIMS:</p> <ol style="list-style-type: none"> <li>1. Admin – has the ability to create and remove other users only;</li> <li>2. Course Application – has access to enter and/or edit organisation details and submit courses only;</li> <li>3. Finance – has access to view financial reports only;</li> <li>4. Enrolment – has access to enrolment functions i.e. enrolling NEIS-PPP Trainees, but does not have access to the RTO Submit function i.e. submitting the enrolment to DEEWR; and</li> <li>5. RTO Submit – no more than one person has access to the RTO submit function and that one person at no time, either intentionally or unintentionally, is permitted to share their logon with other staff members or interested persons for the purposes of enabling additional access to the RTO submit function.</li> </ol> <p>The RTO user can request Admin access and any other access as required. However, users will not be able to have both Financial and Enrolment access to the system. In Exceptional Circumstances, for example sole traders, DEEWR will consider giving users both Finance and Enrolment access upon request. These will be assessed on a case-by-case basis.</p> <p>Once a user has Admin access, they can then create additional users for other staff members in their organisation. RTOs must have a unique logon ID and password for each member of staff accessing the system. Users should be required to sign a statement acknowledging that their logon ID and password must not be shared under any circumstances, and also that giving false or misleading information to the Commonwealth is a serious offence.</p>

	If an officer loses their password and/or logon they must contact DEEWR for it to be re-issued.
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<b>11 Contractual Arrangements</b>	
<b>11.1 Contract</b>	<p>DEEWR will invite organisations selected on the basis of their response to the Program RTP to enter into a standard contract with the Commonwealth for the provision of services for the Program ('the Services Contract'). In the event that any such organisations are organisations with current PPP contracts with DEEWR, separate contracts will be entered into for this Program.</p> <p>Before an organisation can participate in the Program, that RTO must be a party to a Services Contract with DEEWR for the Program.</p> <p>The Services Contract will not be binding until executed – i.e. signed by DEEWR following signing by the Approved Organisation.</p>
<b>11.2 Contract Timetable</b>	<p>Services Contracts may be entered into with Approved Organisations at any time during the period of the Program. Services Contracts will expire on 30 June 2012, unless the Commonwealth, at its absolute discretion, decides to extend the contract period as detailed in the contract.</p>
<b>11.3 Services Contract Variations</b>	<p>If a variation to the Services Contract is required, the person authorised to sign the Services Contract must make the request in writing, detailing the reasons for the request.</p> <p>DEEWR will consider, in its absolute discretion, whether or not it agrees to the proposed variation, and if it does so, the Services Contract will be varied in accordance with the terms and conditions of the Services Contract.</p> <p>Services Contract variations are to be in writing and signed by DEEWR and the signing delegate from the Approved Organisation before the variation is implemented.</p>
<b>11.4 Payments</b>	<p>Payment amounts specified in the Services Contract are GST inclusive and are limited to the amount set out in the Services Contract.</p> <p>GST for payments for the training places will be treated in the following way:</p> <ul style="list-style-type: none"> <li>• the tuition is treated as an education supply and is therefore GST free; and</li> <li>• course materials consumed during the training are GST free, these are materials necessary to undertake training, however course materials that are not consumed during the course are subject to GST. Examples of non-consumable course materials include textbooks, reference materials and protective clothing.</li> </ul>

	<p>The details of the services to be provided and the conditions for payment are specified in the Services Contract between DEEWR and the Approved Organisation.</p> <p>The date for payment is within 30 days after lodgement by Approved Organisations via PIMS of the appropriate milestone (Commencement/completion).</p>
<b>11.5 Overpayments</b>	<p>If an overpayment occurs for any reason, then the amount must be repaid to DEEWR within 20 business days of a written notice from DEEWR or dealt with as directed in writing by DEEWR.</p> <p>If an overpayment is not repaid to DEEWR, interest is payable on the amount after the expiry of the 20 business days, until the amount is paid in full.</p> <p>Any amount owed to DEEWR is recoverable by DEEWR as a debt to DEEWR without further proof of the debt by DEEWR.</p> <p>An adjustment note must be provided to DEEWR if required by the GST Act, including where an Approved Organisation repays some or all of the fees or allowances to DEEWR.</p>
<b>11.6 Insurance</b>	<p>Requirements relating to insurance are set out in the Services Contract and Approved Organisations must comply with these requirements.</p>

<b>12 Performance Management</b>	
<b>12.1 Overview</b>	This section describes how DEEWR will measure and monitor the performance of the Approved Organisation in relation to the delivery of the Program.
<b>12.2 Performance Management</b>	<p>DEEWR is responsible on behalf of the Commonwealth, for ensuring the delivery of the services required under the Services Contract, and taking action to manage underperformance when required.</p> <p>DEEWR will do this by:</p> <ul style="list-style-type: none"> <li>• clearly defining what is expected of Approved Organisations, including how performance will be measured and the actions that DEEWR may take if these expectations are not met. These expectations have been defined in these NEIS-PPP Guidelines and will be defined in the Services Contract. Information will be communicated via postings on the PIMS bulletin board, via email and Contract Liaison Officers regular contact with Approved Organisations;</li> <li>• developing and maintaining a good working relationship with Approved Organisations that is founded on clear communication, trust, understanding, openness, and the mutual benefit of Approved Organisations delivering positive Program outcomes; and</li> <li>• undertaking appropriate assessment of Approved Organisations' performance that ensures compliance with Services Contract requirements and recognises and rewards continuous improvement and best practice.</li> </ul> <p>DEEWR will monitor RPL, completions and withdrawals against national benchmarks.</p>
<b>12.3 Performance Monitoring Principles</b>	<p>Approved Organisations are responsible to DEEWR for meeting their contractual requirements under their Services Contract with the Commonwealth (and the NEIS-PPP Guidelines).</p> <p>Monitoring provides the opportunity for the Approved Organisation to learn from the process and to improve performance using that information. The objectives of Services Contract monitoring are to:</p> <ul style="list-style-type: none"> <li>• ensure that the Approved Organisation is meeting its contractual responsibilities;</li> <li>• identify policy and delivery issues early;</li> <li>• develop remedial management strategies to assist the Approved Organisation to achieve minimum performance</li> </ul>

	<p>standards, where appropriate; and</p> <ul style="list-style-type: none"> <li>• protect Commonwealth funds to ensure these are used appropriately.</li> </ul>
<p>12.4 <b>Performance Monitoring</b></p>	<p>During the contract period, DEEWR may undertake performance monitoring of Approved Organisations in the following ways:</p> <ul style="list-style-type: none"> <li>• on-site monitoring;</li> <li>• targeted monitoring;</li> <li>• system monitoring; and</li> <li>• desk-top monitoring.</li> </ul> <p>Approved Organisations must allow DEEWR staff, or nominated agents of DEEWR, access to personnel employed by the Approved Organisation and all accounts, records, documents and papers of the Approved Organisation relating directly or indirectly to the Services Contract, including records held by banking or other institutions.</p> <p><b>On-site monitoring</b> will be used by DEEWR to enable it to assess the accuracy of the Approved Organisation's performance in NEIS-PPP training, claiming payments, in processing documentation associated with the delivery of the Program and maintaining accurate and complete file and system records.</p> <p>DEEWR will undertake on-site monitoring from time to time.</p> <p><b>Targeted monitoring</b> will be undertaken by DEEWR at various times as determined by DEEWR. This may include direct contact with NEIS-PPP Trainees, surveys and focus groups with Approved Organisations.</p> <p><b>Systems monitoring</b> will allow DEEWR to ensure that the Approved Organisation is updating PIMS records as required under these Guidelines.</p> <p><b>Desk-top monitoring</b> will allow DEEWR to ensure that the Approved Organisation is meeting the minimum record keeping requirements of the Program.</p> <p><b>Performance feedback</b> will be provided by DEEWR to the Approved Organisation after the end of each on-site monitoring visit and at other times as required.</p>
<p>12.5 <b>Poor Performance</b></p>	<p>As part of its feedback to the Approved Organisation, DEEWR will indicate any area of poor performance.</p> <p>The Approved Organisation will be required to respond in writing within the timeframe specified by DEEWR indicating the strategies it intends to implement to remedy any area of poor performance that has been identified, and addressing the specific</p>

	concerns raised by DEEWR in the feedback. <b>Clauses 22 and 28</b> of the Services Contract may apply to breaches of the Services Contract.
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<b>13 Legislative Requirements</b>	
<b>13.1 Overview</b>	This section provides details on some legislative requirements applicable to the administration of the Program. Approved Organisations are responsible for obtaining their own legal advice on the legislative and other requirements impacting on their participation in the Program and should rely on the following as a guide only.
<b>13.2 Discrimination Legislation</b>	Commonwealth agencies, including the Department of Education, Employment and Workplace Relations and Centrelink, and Approved Organisations and Job Capacity Assessment providers are subject to Acts which prohibit discriminatory practices: <ul style="list-style-type: none"> <li>• <i>Racial Discrimination Act 1975</i>;</li> <li>• <i>Sex Discrimination Act 1984</i>;</li> <li>• <i>Disability Discrimination Act 1992</i>; and</li> <li>• <i>Human Rights and Equal Opportunity Commission Act 1986</i>.</li> </ul>
<b>13.3 Eligible NEIS-PPP Trainees with a Disability</b>	Approved Organisations must ensure that they comply with their existing legal obligation to provide training in Identified Qualifications to NEIS-PPP Trainees with disabilities, including by ensuring compliance with the <i>Disability Discrimination Act 1992</i> . Unless the provision of an Identified Qualification to a NEIS-PPP Trainee with a disability would impose unjustifiable hardship on the Approved Organisation, the Approved Organisation must make appropriate arrangements to deliver the Identified Qualification to that NEIS-PPP Trainee without additional charge to the NEIS-PPP Trainee or additional payment by DEEWR in addition to the Administration Fee or Qualification Cost. <p>Where an Approved Organisation believes that it would create unjustifiable hardship on the Approved Organisation to offer the Identified Qualification to a NEIS-PPP Trainee with a disability and without additional charge, the Approved Organisation must notify DEEWR as soon as possible and provide details including:</p> <ul style="list-style-type: none"> <li>(a) the Identified Qualification in which the NEIS-PPP Trainee wishes to enrol;</li> <li>(b) what specialist services and/or alternative arrangements would be necessary for the NEIS-PPP Trainee to successfully undertake the Identified Qualification;</li> <li>(c) the anticipated costs likely to be associated with the Approved Organisation providing the specialist services and/or alternative arrangements for the NEIS-PPP Trainee to successfully undertake the Identified Qualification; and</li> <li>(d) why the Approved Organisation considers that it does not</li> </ul>

	<p>have the resources to provide the specialist services and/or alternative arrangements to the NEIS-PPP Trainee.</p>
<p>13.4 <b>NEIS-PPP Trainee Confidentiality</b></p>	<p>NEIS-PPP Trainees' personal information is to be collected, stored, accessed, used and disclosed in accordance with the <i>Privacy Act 1988</i>.</p> <p>Certain information about those NEIS-PPP Trainees who are also Income Support Recipients may be protected information under social security law.</p> <p>Approved Organisations must ensure that protected information under social security law is obtained, recorded, disclosed and used in accordance with the confidentiality provisions contained in the <i>Social Security (Administration) Act 1999</i>.</p> <p>Organisations should note that the unauthorised use or disclosure of protected information under social security law is a serious offence.</p> <p><b>Note:</b> The <i>Crimes Act 1914</i> and The <i>Criminal Code Act 1995</i> provide severe penalties for the unlawful disclosure of information.</p>
<p>13.5 <b>Privacy Act</b></p>	<p>The <i>Privacy Act 1988</i> provides for the protection of personal information in relation to its collection, storage, access, use and disclosure. Personal information is information or an opinion (including information or an opinion forming part of a database), whether true or not, about a NEIS-PPP Trainee whose identity is apparent, or can reasonably be ascertained, from the information or opinion.</p> <p>DEEWR is bound, in administering the Program, by the provisions of the Privacy Act. Section 14 of the Privacy Act contains the Information Privacy Principles (IPPs) which prescribe the rules for handling personal information.</p> <p>Approved Organisations and DEEWR personnel involved in the Program, must abide by the Information Privacy Principles (IPPs) and the Privacy Act when handling personal information collected for the purposes of the Program. In brief, Approved Organisations and DEEWR must ensure that:</p> <ul style="list-style-type: none"> <li>• personal information is collected in accordance with Information Privacy Principles 1-3;</li> <li>• suitable storage arrangements, including appropriate filing procedures are in place;</li> <li>• suitable security arrangements exist for all records containing personal information;</li> <li>• access to a person's own personal information held by the organisation is made available to the person at no charge;</li> </ul>

	<ul style="list-style-type: none"> <li>• records are accurate, up-to-date, complete and not misleading;</li> <li>• where a record is found to be inaccurate, the correction is made;</li> <li>• where a person requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment are noted on the record;</li> <li>• the personal information is only to be used for the purposes for which it was collected, or for other purposes where expressly allowed by Information Privacy Principle 10; and</li> <li>• personal information is only disclosed in accordance with Information Privacy Principle 11.</li> </ul>
<p><b>13.6 Privacy Complaints</b></p>	<p>Complaints about breaches of privacy should be referred to:</p> <p>The Privacy Contact Officer  Department of Education, Employment and Workplace Relations  GPO Box 9880  Canberra ACT 2601</p> <p>Privacy complaints can be made directly to the Federal Privacy Commissioner (the contact number is 1300 363 922), however the Federal Privacy Commissioner prefers that DEEWR be given an opportunity to deal with the complaint in the first instance.</p>
<p><b>13.7 Freedom of Information</b></p>	<p>All documents created or held by the department with regard to the Program are subject to the <i>Freedom of Information Act 1982</i> ('the FOI Act'). The FOI Act extends as far as possible the right of the Australian community to access information in the possession of Government departments.</p> <p>Unless a document falls under an exemption provision, it will be made available to the general public if requested under the FOI Act. All freedom of information requests are to be referred to the:</p> <p>The FOI Coordinator  Administrative Law Branch  Department of Education, Employment and Workplace Relations  GPO Box 9879  Canberra ACT 2601</p> <p>Decisions regarding requests for access will be made by an authorised officer in accordance with the requirements of the FOI Act.</p>
<p><b>13.8 Insurance and Indemnity</b></p>	<p>Approved Organisations are required to indemnify the Commonwealth as specified in <b>Clause 14.1</b> of the Services Contract.</p>

	<p>The Approved Organisations are required to provide upon request and maintain insurance coverage, including public liability, as specified in the Services Contract. Insurance must be valid for the full period of the Services Contract, including the time that NEIS-PPP Trainees are actively undertaking the Program training or activities leading to a qualification.</p> <p>The full insurance coverage required is:</p> <ul style="list-style-type: none"> <li>• workers' compensation insurance for an amount required by the relevant state or territory legislation;</li> <li>• public liability insurance (i.e. insurance that covers an Approved Organisations liability arising out of negligent acts or omissions that cause personal injury to other people or damage to the property of another person or organisation) for an amount of \$10 000 000 (ten million dollars) or more per claim; and</li> <li>• professional indemnity insurance (i.e. insurance that covers an Approved Organisation's liability arising out of performance of professional services or breach of professional duty) for an amount of \$1 000 000 (one million dollars) or more per claim.</li> </ul>
<p>13.9 <b>Working with Children</b></p>	<p>All personnel at Approved Organisations who are working with children* as part of the Program are required to undergo an Australian Federal Police (AFP) National Police Check that provides full disclosure of any charges or convictions (an AFP check). Information on the National Police Check is at <a href="http://www.afp.gov.au/business/national_police_checks">http://www.afp.gov.au/business/national_police_checks</a></p> <p>In addition, Approved Organisations must comply with any relevant State or Territory legislation requiring screening for persons who work with children.</p> <p>For the purposes of these Guidelines, "personnel" are defined as:</p> <ul style="list-style-type: none"> <li>• employees of the Approved Organisation who are engaged/or to be engaged to deliver the administrative services or the training;</li> <li>• volunteers who support the delivery of the administrative services or the training; and</li> <li>• personnel within the Approved Organisation who may come into contact with NEIS-PPP Trainees.</li> </ul> <p>Where the AFP check reveals any convictions or pending charges the Approved Organisation must not, without authorisation from DEEWR, engage that person as personnel as defined above.</p>

For the purposes of these Guidelines \* 'working with children' means having substantial contact with an individual or a group (whether that contact is supervised or not) where the individual, or one or more of the individuals in the group, is under the age of 18 years, and includes both physical and non-physical contact, including over the internet, via telephone, or any other form of communication.

**Obtaining the criminal record check:**

Approved Organisations should contact the AFP Criminal Records Client Services Team on Telephone: (02) 6202 3333 for the application form and further information about the AFP check process.

The cost of obtaining an AFP criminal record check is to be borne by the Approved Organisation. The cost of each clearance is currently \$36.00 and routine criminal record checks are usually completed within ten (10) working days. Checks are current at the time of making and the Department requires that these checks are renewed every two (2) years from the date of the initial check.

Records of all checks must be maintained and all documentation must be made available and accessible for viewing by departmental staff during monitoring visits.

Approved Organisations are required to confirm police checks have been undertaken for all personnel and the personnel of any approved subcontractors.

The purpose of these procedures is to assist Approved Organisations and DEEWR in cases where the AFP criminal history check or relevant State or Territory police checks as required reveals that a prospective NEIS-PPP Trainee has been charged or convicted for an offence which the Commonwealth considers relevant for the purpose of assessing the suitability of prospective personnel.

While the use of these procedures is an important tool for minimising the likelihood of abuse or ill-treatment of children by those working with them, it does not replace the need for fostering a workplace culture committed to child safety.

**Protecting Children**

The Commonwealth is committed to protecting children from harm and promoting their well-being. The Commonwealth is committed to protecting young people eligible to participate in the Program and also the parents, employers, coordinators, workplace supervisors and other parties involved in the delivery of the Program. Therefore, in developing these procedures, DEEWR has taken into account:

- the age of the young people participating in the Program;
- the nature of the assistance being provided;
- the diverse range of locations of the provision of the Program services and assistance; and
- when the assistance is to be conducted.

### **Responsibility of Approved Organisations**

Approved Organisations must ensure that all personnel undergo a criminal history check by the AFP.

It is the responsibility of Approved Organisations to ensure that information obtained from these checks is assessed to determine the suitability of personnel before the offer of employment is made or before the personnel can undertake work on the Program.

An Approved Organisation must not allow a person to work with children on the Program where an adverse result has been returned unless DEEWR gives written approval to do so.

An “adverse result” means any information included on the criminal history check that indicates a person has a pending criminal charge or any conviction.

The Approved Organisation must provide copies of all adverse results from either AFP criminal history checks or relevant State or Territory police checks as required, in hardcopy format to DEEWR for assessment.

### **Confidentiality**

The Approved Organisation is responsible for keeping a record of all reports and considerations which are part of the screening process. All records and information pertaining to criminal checks for employees of the Approved Organisation are highly sensitive information and must be treated in strict confidence. Disclosure of confidential information may result in breach of the *Privacy Act 1988*, the *Crimes Act 1914*, and an action for breach of confidence.

It is a Commonwealth requirement that files containing such information must be accessed by only those people who have the need to know. Approved Organisations must store such files in a secure place to ensure that a reasonable level of security is maintained at all times. The minimum requirement for storage of these files is a lockable, commercial grade cabinet.

<b>14 Acronyms</b>	
AAC	Australian Apprenticeships Centre
AFP	Australian Federal Police
AQF	Australian Qualifications Framework
AQTF	Australian Quality Training Framework
AVETMISS	Australian Vocational Education and Training Management Information Statistical Standard
CDEP	Community Development Employment Program
COAG	Council of Australian Governments
CLO	Contract Liaison Officer
CRN	Customer Reference Number
DEEWR	Australian Government Department of Education, Employment and Workplace Relations
EEO	Equal Employment Opportunity
ESD4	Employment Services Deed 2009-12
FOI	Freedom of Information
GST	Goods and Services Tax
ISC	Industry Skills Council
ITAS	Indigenous Tutorial Assistance Scheme
JSS	Job Search Support
JSSO	Job Search Support Only
LLNP	Language Literacy and Numeracy Program
LMR	Labour Market Region
NAATI	National Accreditation Authority for Translators and Interpreters
NEIS	New Enterprise Incentive Scheme
NTIS	National Training Information Service
PIMS	Productivity Places Program Information Management System
RPL	Recognition of Prior Learning
RTO	Registered Training Organisation

TIFIARRC	Training Initiative for Indigenous Australians in Regional and Remote Communities
VET	Vocational Education and Training