



Audit report – VET Quality Framework Standards for Registered Training Organisations 2015

ORGANISATION DETAILS

Organisation's legal name:	Silver Academy Pty Ltd
Trading name/s:	Fitlink
RTO number:	41087
CRICOS number:	n/a

AUDIT TEAM

Lead auditor:	Seth Farrington
Assistant/s:	Jen Adlington, John Haddad (Regulatory Officer)
Technical advisor/s:	n/a

AUDIT DETAILS

Application number/s:	n/a	
Audit number/s:	1007786	
Audit reason 1:	Post initial	
Audit reason 2:	n/a	
Audit reason 3:	n/a	
Activity type:	Site visit	
Address of site/s visited:	19 Creek Street, REDCLIFFE QLD 4020	
Date/s of audit:	27 April 2016	
Organisation's contact for audit:	Kerri Curtain kerri@silveracademy.com.au	CEO 0400210376
Clauses audited:	1.1-1.20, 1.22, 1.25, 1.26, 1.27, 2, 3, 4, 5, 6, 7.3-7.4, 8.1-8.2, 8.6.	

BACKGROUND

- Silver Academy Pty Ltd received initial registration as a Registered Training Organisation (RTO) on 30 January 2015. In the short time since initial registration the organisation has had many material changes submitted to ASQA and has had four differing CEOs in that time.
- On 1 April 2015 the organisation was granted registration for qualifications from the SIS10 Sport, Fitness and Recreation Training Package. Very soon after this time the RTO changed its delivery and assessment focus from qualifications from the FNS10 Financial Services Training Package to qualifications from SIS10. Evidenced by the fact that from 24 April 2015 students who had been enrolled in fitness qualifications with cancelled RTO Fitlink Australia Pty Ltd 32231 were transferred to Silver Academy Pty Ltd and claiming this as a means to support students to continue their studies. At around this time Terry Boman was a high managerial agent for both the cancelled RTO Fitlink Australia Pty Ltd and Silver Academy Pty Ltd.



- On 7 January 2016 Silver Academy Pty Ltd registered the business name Fitlink as its trading name. The current CEO of Silver Academy Pty Ltd, Kerrie Ann Curtain, took over the role for the organisation on 22 January 2016. The RTO acknowledged at audit there were flaws in the transfer of students from Fitlink Australia Pty Ltd to Silver Academy Pty Ltd in ensuring students educational and support needs were addressed. These flaws it was explained were largely due to poor management practices by the organisation's previous managers and the IT infrastructure not giving students access to the online system which is the main delivery method adopted by the organisation. Many complaints from students have been received by ASQA concerning this issue and deficiencies in the communication provided to students about this transfer process.
- The CEO of the organisation is assisted by a management team including an Academic Director, Head of Education, General Manager, an Administration Manager and a team of eight trainers and assessors supported by the industry mentor sourced by each learner.
- The organisation's current scope of registration consists of three qualifications from the SIS10 Sport, Fitness and Recreation Training Package and five qualifications from the BSB Business Services Training Package.
- Delivery for the qualifications from the SIS10 training package is predominately online or by distance supported by adhoc practical weekend workshops at hired Gym/Fitness venues. Currently the organisation has 1714 students enrolled in qualifications from the SIS training package. The organisation confirmed at audit it is not taking any new enrolments in these qualifications. Furthermore, the organisation has not promoted nor has had any delivery for qualifications on its scope from the BSB training package.
- The fee revenue sources targeted by the organisation is fee for service.
- Along with monitoring the organisation's compliance with the Clauses listed above this Post Initial audit also considered matters raised in the complaints received by ASQA (summarised at Clause 1.7). The audit process has been used to confirm if the organisation has appropriately addressed the issues alleged in the complaints concerning deficiencies in the provision of educational and support services necessary to meet the requirements of the training product.

Total number of current enrolments in RTO as at audit date:

- 1714

AUDIT SAMPLE

Code	Training products	Mode/s of delivery / assessment*	Current enrolments (If not yet on scope, record N/A)
SIS30313	Certificate III in Fitness	Blended	1039
SIS40210	Certificate IV in Fitness	Blended	646
BSB30115	Certificate III in Business	Tba	0
BSB51915	Diploma of Leadership and Management	Tba	0

*Apprenticeship, Traineeship, Face to face, Distance, Online, Workplace, Mixed, Other (specify)

INTERVIEWEES

Name	Position	Training products
Kerrie Ann Curtain	CEO	n/a
Trude Cameron	Academic Director	n/a
Sean Boman	General Manager	n/a



Gerard Fitzpatrick

Head of Education

SIS30313, SIS40210, SIS50213

Bhavika Ramji

Administration Manager

n/a

ORIGINAL FINDING AT TIME OF AUDIT

Audit finding: Critical non-compliance

Report completed by: Seth Farrington

Date: 27/04/2016

- The level of non-compliance considers the potential for an adverse impact on the quality of training and assessment outcomes for students.
- If non-compliance has been identified, this audit report describes evidence of the non-compliance.
- Refer to notification of non-compliance for information on providing further evidence of compliance.

AUDIT FINDING FOLLOWING ANALYSIS OF RECTIFICATION EVIDENCE

Audit finding following analysis of additional evidence provided on 29/06/2016: Compliant

Report completed by: Seth Farrington

Date: 04/08/2016

AUDIT FINDING BY STANDARD

Standard	Original finding	Finding following rectification
Standard 1	Not compliant	Compliant
Standard 2	Not compliant	Compliant
Standard 3	Not compliant	Compliant
Standard 4	Not compliant	Compliant
Standard 5	Not compliant	Compliant
Standard 6	Compliant	n/a
Standard 7	Not compliant	Compliant
Standard 8	Compliant	n/a

ABOUT THIS REPORT

This report details findings against the *Standards for Registered Training Organisations 2015*.

The evidence guidance included against each clause is designed to guide the auditor and RTO on the requirements of the clause. The evidence guidance is not designed to limit the audit findings and there may be other factors an auditor takes into consideration when determining whether compliance has been demonstrated.

Where evidence of non-compliance is identified, the '*Reasons for finding of non-compliance*' section of the report will document the issues that were considered in the formulation of a finding of non-compliance.



STANDARD 1	<p>The RTO's training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses.</p> <p>To be compliant with Standard 1 the RTO must meet the following:</p>
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<p>Clause 1.1</p> <p>The RTO's training and assessment strategies and practices, including the amount of training they provide, are consistent with the requirements of training packages and VET accredited courses and enable each learner to meet the requirements for each unit of competency or module in which they are enrolled.</p>

Original finding: Not compliant	Following rectification: Compliant		
Evidence guidance	Y	N	N/A
A training and assessment strategy (or strategies) was provided for each training product sampled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Each strategy is consistent with the requirements of the training product	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Each strategy provides a framework to guide the learning requirements and the training and assessment arrangements of each training product – the macro level requirements of the learning and assessment process	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Each strategy identifies an amount of training to be provided to learners that is consistent with the requirements of the training product	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Each strategy has been consistently implemented	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for finding of non-compliance:

SIS30313 Certificate III in Fitness

The evidence provided did not demonstrate the organisation's training and assessment strategies are consistent with the requirements of the training product nor has the organisation clearly articulated a framework to guide the learning requirements and training and assessment arrangements of the training product. For example:

- The clustering of units identified in the course structure and delivery plan of the strategy document are not consistent with the actual clustering of units. For example but not limited to:
 - Module 7 Fitness Orientation and Health Assessment includes SISFFIT301A and SISFFIT307A however the actual assessment has the following units clustered together.
 - SISFFIT301A Provide fitness orientation and health screening
 - SISFFIT307A Develop and apply an awareness of specific populations to exercise delivery
 - SISXIND101A Work effectively in sport and recreation environments
 - SISFFIT302A Provide quality service in the fitness industry
 - Module 8 Fitness Testing includes SISFFIT307A Develop and apply an awareness of specific populations to exercise delivery however the practical fitness testing assessment includes SISFFIT305A Apply anatomy and physiology principles in a fitness context.
- Documentation provided by the organisation is not appropriate to the above qualification. For example but not limited to:
 - Practical assessment checklists and student instructions include the SIS30310 Certificate III in Fitness qualification name that was superseded on 14/12/2013.
 - Practical experience log book does not include the qualification code at all.
- Additionally in the master log book there are incorrect references to a different RTO and head office location.



SIS40210 Certificate IV in Fitness

- The evidence provided did not demonstrate the organisation's training and assessment strategies are consistent with the requirements of the training product nor has the organisation clearly articulated a framework to guide the learning requirements and training and assessment arrangements of the training product. For example:
 - The assessment methods identified in the strategy document are not consistent with the actual methods of assessment used.

Additionally, for both of the above qualifications the evidence provided did not demonstrate each strategy has been consistently implemented due to the adhoc arrangements concerning the practical assessment activities.

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

The provided training and assessment strategies for the above qualifications do not accurately reflect the current capacity of the organisation. At audit the organisation confirmed it does not have any resources human or physical to deliver any of the qualifications from the BSB Business Services training package listed on its scope.

In order to become compliant, the organisation is required to:

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For the above qualifications provide evidence that demonstrates the RTO's training and assessment strategies and practices, including the amount of training they provide, are consistent with the requirements of the SIS10 Sport, Fitness and Recreation Training Package and enable each learner to meet the requirements for each unit of competency or module in which they are enrolled.

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- For the above qualifications provide evidence that demonstrates the RTO's training and assessment strategies and practices, including the amount of training they provide, are consistent with the requirements of the BSB Business Services Training Package and enable each learner to meet the requirements for each unit of competency or module in which they are enrolled accurately reflect the RTO's actual capacity.

Analysis of rectification evidence:

Evidence provided:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.



Evidence provided

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- Audit Rectification summary and Master Index Document
- RTO Policies and Procedures
- Amount of Training – Fitness courses - spreadsheet
- Silver Academy Assessor Guide to Written and Practical Assessment
- SIS30313 Training and Assessment Strategy
- SIS30313 Evidence Matrix Mapping Grid
- SIS30313 Practical Log Book
- SIS30313 Practical Assessment Student Guide
- SIS40210 Training and Assessment Strategy
- SIS40210 Evidence Matrix Mapping Grid
- SIS40210 Practical Log Book
- SIS40210 Practical Assessment Student Guide
- Analysis of the evidence provided determined for the above qualifications the RTO's training and assessment strategies and practices, including the amount of training they provide, are consistent with the requirements of the SIS10 Sport, Fitness and Recreation Training Package and enable each learner to meet the requirements for each unit of competency in which they are enrolled.

Clause 1.2

For the purposes of [Clause 1.1](#), the RTO determines the amount of training they provide to each learner with regard to:

- a) the existing skills, knowledge and the experience of the learner;
- b) the mode of delivery; and
- c) where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
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For each training product sampled, the amount of training to be provided identified in each strategy is consistent with:

• the existing skills, knowledge and experience of learners	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• the mode/s of delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• the number of units and/or modules being delivered	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 1.3

The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:

- a) trainers and assessors to deliver the training and assessment;
- b) educational and support services to meet the needs of the learner cohort/s undertaking the training and assessment;
- c) learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and
- d) facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N
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For all training products sampled, there are sufficient:

• trainers and assessors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• educational and support services to meet the needs of learners	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• learning resources that address the requirements of all components of the relevant training product and are accessible to all learners	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• facilities and equipment to accommodate the number of learners	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistency is evident between each strategy and the above resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for finding of non-compliance:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- The provided training and assessment strategies for the above qualifications do not accurately reflect the current capacity of the organisation. No evidence was provided to demonstrate it has the appropriate resources both human or physical for the delivery and assessment of the above qualifications.
- The organisation did not provide evidence to demonstrate it has sufficient/any:
 - trainers and assessors to deliver the training and assessment;
 - learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and
 - facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.

In order to become compliant, the organisation is required to:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- for all units listed in its training and assessment strategies for the above qualifications provide evidence that demonstrates it has sufficient:
 - trainers and assessors to deliver the training and assessment;
 - learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and
 - facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.

Analysis of rectification evidence:

Evidence provided:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.



Clause 1.4

The RTO meets all requirements specified in the relevant training package or VET accredited course.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N	N/A
Training and assessment strategies and resources are consistent with the requirements of each training product sampled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Training and assessment practices are consistent with the requirements of each training product sampled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for finding of non-compliance:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- For the above training product the RTO did not demonstrate that its training and assessment strategies would include the use of resources consistent with those specified in the assessment conditions in the BSB Business Services Training Package for the qualification. See Clause 1.1 and 1.3 for further information.
- As noted with reference to Clause 1.8, the evidence provided at audit did not support that the RTO's training and assessment strategies and resources for the above qualifications are consistent with the assessment requirements specified in the BSB Business Services Training Package for all sampled units. See Clause 1.8 for further information.

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For the above training products the RTO did not demonstrate that its training and assessment strategies would include the use of resources consistent with those specified in the assessment conditions in the SIS10 Sport, Fitness and Recreation Training Package for the qualification. See Clause 1.1 for further information.
- As noted with reference to Clause 1.8, the evidence provided at audit did not support that the RTO's assessment strategies and resources for the above qualification are consistent with the assessment requirements specified in the SIS10 Sport, Fitness and Recreation Training Package for all sampled units. See Clause 1.8 for further information.

In order to become compliant, the organisation is required to:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- For the above qualifications the RTO is not required to provide rectification evidence to address this clause as the non-compliances are reflected in Clauses 1.1, 1.3 & 1.8. Should the rectification evidence received be determined compliant, the organisation will be subsequently compliant with this clause.

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For the above qualifications the RTO is not required to provide rectification evidence to address this clause as the non-compliances are reflected in Clauses 1.1 & 1.8. Should the rectification evidence received be determined compliant, the organisation will be subsequently compliant with this clause.



Analysis of rectification evidence:

Evidence provided:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For the above qualifications the RTO provided rectification evidence to address the non-compliances reflected in Clauses 1.1 & 1.8. The rectification evidence received has addressed the non-compliances reflected in Clauses 1.1 & 1.8, the organisation is subsequently compliant with this clause.

Clause 1.5

The RTO's training and assessment practices are relevant to the needs of industry and informed by industry engagement.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance

Y N

Training and assessment practices are informed by and consistent with the outcomes from industry engagement strategies ☐ ☒

Reasons for finding of non-compliance:

- Evidence consists of
 - Training and assessment strategies for:
 - BSB30115 Certificate III in Business
 - BSB51915 Diploma of Leadership and Management
 - SIS30313 Certificate III in Fitness
 - SIS40210 Certificate IV in Fitness
- The evidence provided did not demonstrate the organisations training and assessment practices have been informed by and are consistent with the outcomes from industry engagement.

In order to become compliant, the organisation is required to:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For each of the above qualifications provide evidence that demonstrates the organisation's training and assessment practices are relevant to the needs of industry and informed by industry engagement.



Analysis of rectification evidence:

Evidence provided:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

Evidence provided:

- Industry Engagement Policy Extract
- Industry Consultation Plan
- SIS30313 and SIS40210 Training and Assessment Strategies validation by Jo McCurry and Tiafi Thurston
- Industry validation – Allyson Fenwick
- Evidence of consultation with: Service Skills Australia; fitness Australia; Snap fitness; AIPT RTO Roundtable meeting
- Summary table of industry feedback
- Analysis of the evidence provided indicates the organisations training and assessment practices for the qualifications from the SIS10 Sport, Fitness and Recreation Training Package are relevant to the needs of industry and informed by industry engagement.

Clause 1.6

The RTO implements a range of strategies for industry engagement and systematically uses the outcome of that industry engagement to ensure the industry relevance of:

- a) its training and assessment strategies, practices and resources; and
b) the current industry skills of its trainers and assessors.**

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N	N/A
A range of industry engagement strategies have been developed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Industry engagement strategies have been implemented	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Outcomes from industry engagement strategies have been systematically used to inform:			
• training and assessment strategies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• training and assessment practices	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• resources, including facilities and equipment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• current industry skills required to be held by trainers and assessors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Reasons for finding of non-compliance:

- Evidence consists of
 - Training and assessment strategies for:



- BSB30115 Certificate III in Business
 - BSB51915 Diploma of Leadership and Management
 - SIS30313 Certificate III in Fitness
 - SIS40210 Certificate IV in Fitness
- The organisation did not provide any evidence to demonstrate it had implemented its industry engagement strategies. Nor was evidence provided to demonstrate the industry engagement strategies had been used to inform the industry relevance of the organisation's training and assessment strategies, practices and resources; and the current industry skills of its trainers and assessors.

In order to become compliant, the organisation is required to:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For each of the above qualifications provide evidence that demonstrates the organisation has implemented a range of industry engagement strategies that have been used to inform the organisation's training and assessment strategies, practices and resources; and the current industry skills of its trainers and assessors.

Analysis of rectification evidence:

Evidence provided:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Audit Rectification summary and Master Index Document
 - Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

Evidence provided:

- Industry Engagement Policy Extract
- Industry Consultation Plan
- SIS30313 and SIS40210 Training and Assessment Strategies validation by Jo McCurry and Tiafi Thurston
- Industry validation – Allyson Fenwick
- Evidence of consultation with: Service Skills Australia; fitness Australia; Snap fitness; AIPT RTO Roundtable meeting
- Operations Continuous Improvement Register
- Industry Skills of Trainers and Assessors
- Industry engagement Fitness Australia
- Industry Partners

- Analysis of the evidence provided indicates the organisation has implemented a range of industry engagement strategies that have been used to inform the organisation's training and assessment strategies, practices and resources; and the current industry skills of its trainers and assessors.

Clause 1.7

The RTO determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N
Support needs of learners have been identified	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Learners have access to educational and support services necessary for them to meet the requirements of the relevant training product	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for finding of non-compliance:

- ASQA complaints data consisted of:
 - 1011348 – Complainant has been unable to participate in course for 6 weeks. Website to access course has been experiencing maintenance issues\' since the first week of January 2016
 - 1011260 – have lost access to the student portal and therefore cannot continue study
 - 1011209 – Can't access Fitlink's moodle
 - 1011153 – complainant initially enrolled with Fitlink Aust, has been transferred to Fitlink NZ which caused difficulties. Would like to cancel and receive refund but is having trouble communicating with the provider.
 - 1011664 – Student - alleges RTO are hassling her for money after they have gone into liquidation
 - 1011706 – Student - believes RTO has gone into liquidation
 - 1011807 – I received one voice mail on the 12th March which i returned immediately but was unable to speak with anyone. They have not returned any calls or responded any emails since then. My initial emails regarding me having completed my Certificate III coursework are dated 14/01/16. In that week alone I called four times without a return phone call. It is more than 9 weeks past this date and I am still unable to get an adequate response and resolution from Silver Academy. I have no confidence in continuing to study with Silver Academy with this complete lack of service. The resolution I am after is my Certificate III issued as is owed, and a refund for my Certificate IV as they are clearly unable to provide the service required.
 - 1011875 – Student - found out that Fitlink Australia has gone into receivership and has been take over by Silver Academy. Could not log in to continue training. Unable to contact the provider and wishes to gain a refund to start with another provider.
 - 1011881 – Student was given the opportunity to pay for and start courses even though they say the RTO was already in receivership. She has lost her money and is unable to finish her studies.
 - 1011869 – Student - unable to contact RTO by phone email or Facebook. No response to submitted assessments and she was at the last assessment for her course. Awaiting course completion notification
 - 1011865 – Student wishes to gain a refund after issues with accessing training online, provider administration and student care and support.
 - 1011866 – Student unable to contact the RTO to get recognition for assessment submitted. Unable to contact the RTO.
 - 1011906 – I have sent countless emails in regards to training and mentoring weekends but never heard anything back. Now I just received an email from students saying they are in liquidation. How is this a good practise when we dont get notified. What is happening which this situation now? Do we get reimbursement of costs that we have forked out? Thanks



- 1011888 – I am a current student of Fitlink Australia. I have paid in full for my Diploma of Fitness via weekly debit. I have completed my Cert III in Fitness and am into Module 2 of the Cert 4. I have been unable to get in contact with anyone from Fitlink via email or telephone call for months and do not know what actions to take. I have found since that there has been legal issues surrounding Fitlink Australia as seen in this ABC report. <http://www.abc.net.au/7.30/content/2015/s4433511.htm> .I am extremely concerned as I have spent a considerable amount of money and invested a lot of time into this course and am now being encouraged by fellow disgruntled students to seek legal help. Please if there is anything you can do to help that would be much appreciated. My plan is to start my own business in the Fitness Industry and obviously this is a major setback.
- 1011946 – QCAT ordered refund still pending from RTO.
- 1011941 – RTO in liquidation, wants to either cancel or get new tutor, cannot contact RTO.
- 1011977 – I enrolled to do Cert 3 and 4 in Fitness with Fitlink Australia in Feb 2016. I was not made aware that the company had gone into liquidation. I was then contacted by Fitlink NZ (Damon De Berry) because all calls were being diverted there, who informed me in writing that the student log system for Fitlink Australia was having "technical difficulty" and that NZ was helping out students enrol in the interim. I was most concerned as I did not want to be enrolled in NZ because I am living in Sydney and the course entails attending mentoring weekends and tutors and these were all based in NZ.. Fitlink NZ have been charging me through Debitsuccess NZ who have been taking weekly payments of \$30 out of my credit card. When I found out through social media and the ABC show 7.30 report that Fitlink Australia have been wound up by the ATO I immediately responded to Fitlink NZ that the contract is VOID as I did not ever reach any agreement or sign any contract to enrol or enlist with NZ and they have to cancel my account with Debit success NZ . I have actually contacted Debitsuccess NZ and put a stop on the account but they continue to send me letters of demand and will continue until Fitlink NZ cancel my account . I do not want to have a bad credit rating because of this mess and I need advice .
- 1010679 – Enrolled November 2015. Had no communication from RTO and has just been locked out of moodle account/ suspended. No offer to complete course or refund money.
- 1011709 – David Sherlock alleges '3 month down the track and I still haven't had my work marked nor is it even up to date in the current (not my) moodle. On top of disruptions, inability to access any learning and quite honestly not sure whether I'll be able to complete the course before there's no longer a course to complete. No faith in the company'.
- 1012088 – Nadia Torrisi alleges 'She was in the final stages of completing a Certificate III in Fitness but is unable to contact the relevant people to complete her final assessments. Student is seeking a full refund and a Statement of Attainment. RTO registration expired 27 July 2015'.
- 1012123 – Chelsea Holman alleges 'I started my Cert III in Fitness last year - it was all good. I spoke to my tutor approx. once every 2 weeks and he was easily accessible. Late last year I tried to contact my tutor via phone and email; no reply. I tried again several times over the past couple of months, which no reply every time. I was struggling with the course and had NO support or help. The main phone lines from the organisation did not work and no one would contact me. I was then contacted on 15/03/16 by a representative Fitlink Australia from being told that they lost my direct debit account details and that I still had \$909 remaining on my account to be paid. I explained that I had been trying to contact the company for a couple of months with no reply. He didn't know why I wouldn't have been able to contact my tutor or Fitlink. I explained that I was really unhappy and no longer wanted continue with the organisation. He was unhelpful and rude. He said that I needed to pay the money as a matter of urgency. About a week later I was made aware the company had gone bankrupt and no longer operating. Many students had lost all their work, including myself. I felt like I have been ripped off and did not receive the service promised to me by the company. I have lost thousands of dollars



with nothing to show for it. I am not asking for my money back – I just don't feel that I need to continue paying for a service that was not delivered. Since, Fitlink has been taken over by another company Silver Academy. I have been harassed with phone calls and text messages stating that I still owe money to Fitlink that needs to be paid ASAP. I sent a cancellation to the company on the 04/04/16 and was told I will hear back within 14 days. I have not heard back. I don't know if the person contacting me works for the company or if they are trying to scam people out of money. I haven't received any formal letter or notification. Just phone calls and text messages. Fitlink made it impossible to complete my course as assessments weren't being marked or went missing. I couldn't access my course. I have been "hounded" for money - which was automatically coming out of my bank account. I do not want any affiliation with Fitlink or its associated companies'.

- 1011867 – Ngoc Thuy Truong alleges 'I was about 2 days from my final assessment (late December) when they emailed and cancelled the assessment day with no information. No emails were contactable and no responses. I found out from one of my colleagues that Fitlink AU had gone into administration and kept reaching out to see if I could get a refund or awarded my course. I HAD ONE assessment left to obtain my Cert 3 and had already paid for both Cert 3 and 4. This email was sent on the 17th Dec 2015. Eventually they got back and said that there has been delays and that their NZ arm was going to take over and therefore they are still operating and will not be offering a refund. However they also couldn't offer a way to complete the final face to face assessment and since then I have heard no correspondence besides emails that say 'sorry for the delay in response we will get back to you in 3-5 days' and I still have had no resolution, no refund, no access to my grades so I can move on with another training organisation. I have outlaid \$3000 for nothing. I would like my cert 3 awarded at the very least so I can move onto my cert 4 with another organisation. Student - the student was unable to log on to the online services to complete an assessment. The online service is done through New Zealand as the student says she was informed Fitlink AUS had gone into administration'.
- Discussion regarding the complaints at audit confirmed the following complaints which allege deficiencies in the provision of educational and support services necessary to meet the requirements of the training product have been substantiated. The CEO confirmed at audit the RTO's practices regarding education and support services was previously deficient. However, the RTO was able to demonstrate it has since put processes in place to address the deficiencies.
- Since the site audit each complainant has been contacted by ASQA and have confirmed the issues have now been resolved for complaints 1011348, 1011260, 1011209, 1011153, 1011664, 1011706, 1011807, 1011875, 1011881, 1011869, 1011865, 1011866, 1011906, 1011888, 1011946, 1011941, 1011977 and 1010679 due to the enhanced processes put in place by the RTO.
- However the complainants for complaints 1011709, 1012088, 102123 and 1011867 have still expressed concerns with the deficiencies in the provision of educational and support services necessary to meet the requirements of the training product:

In order to become compliant, the organisation is required to:

- Demonstrate it has provided sufficient educational and support services to the complainants relating to the following complaints 1011709, 1012088, 102123 and 1011867. This should include evidence that the above complaints have been resolved.

Analysis of rectification evidence:

Evidence provided:

- Audit Rectification summary and Master Index Document
- Student Complaints Closed – File notes from Job Ready – student management system
- Silver Academy meeting Minutes – 7/3/16



- The auditor also reviewed ASQAnet evidence for complaints 1011709, 1012088, 102123 and 1011867
- Complaint 1011709 is closed, the allegations were partially substantiated but have now been resolved.
- Complaint 1012088 is closed, the allegations were partially substantiated but have now been resolved.
- Complaint 102123 is closed, the allegations were partially substantiated but have now been resolved.
- Complaint 1011867 is closed, the allegations were partially substantiated, the Provider has now resolved the complaint and is working with the complainant to finalise her studies.

Clause 1.8

The RTO implements an assessment system that ensures that assessment (including recognition of prior learning):

- a) complies with the assessment requirements of the relevant training package or VET accredited course; and**
- b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.**

Table 1.8.1 Principles of Assessment	
Fairness	<p>The individual learner's needs are considered in the assessment process.</p> <p>Where appropriate, reasonable adjustments are applied by the RTO to take into account the individual learner's needs.</p> <p>The RTO informs the learner about the assessment process, and provides the learner with the opportunity to challenge the result of the assessment and be reassessed if necessary.</p>
Flexibility	<p>Assessment is flexible to the individual learner by:</p> <ul style="list-style-type: none"> • reflecting the learner's needs; • assessing competencies held by the learner no matter how or where they have been acquired; and • drawing from a range of assessment methods and using those that are appropriate to the context, the unit of competency and associated assessment requirements, and the individual.
Validity	<p>Any assessment decision of the RTO is justified, based on the evidence of performance of the individual learner.</p> <p>Validity requires:</p> <ul style="list-style-type: none"> • assessment against the unit/s of competency and the associated assessment requirements covers the broad range of skills and knowledge that are essential to competent performance; • assessment of knowledge and skills is integrated with their practical application; • assessment to be based on evidence that demonstrates that a learner could demonstrate these skills and knowledge in other similar situations; and • judgement of competence is based on evidence of learner performance that is aligned to the unit/s of competency and associated assessment requirements.
Reliability	<p>Evidence presented for assessment is consistently interpreted and assessment results are comparable irrespective of the assessor conducting the assessment.</p>

Table 1.8.2 Rules of Evidence	
Validity	<p>The assessor is assured that the learner has the skills, knowledge and attributes as</p>



	described in the module or unit of competency and associated assessment requirements.
Sufficiency	The assessor is assured that the quality, quantity and relevance of the assessment evidence enables a judgement to be made of a learner's competency.
Authenticity	The assessor is assured that the evidence presented for assessment is the learner's own work.
Currency	The assessor is assured that the assessment evidence demonstrates current competency. This requires the assessment evidence to be from the present or the very recent past.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N
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SIS30313 Certificate III in Fitness

SISFFIT301A Provide fitness orientation and health screening

SISFFIT305A Apply anatomy and physiology principles in a fitness context

Assessment complies with the assessment requirements of the relevant training package or VET accredited course. ☐ ☒

Assessment is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of evidence contained in Table 1.8-2 ☐ ☒

SIS40210 Certificate IV in Fitness

SISFFIT416A Apply motivational psychology to provide guidance on exercise behaviour and change to meet health and fitness goals

SISFFIT419A Apply exercise science principles to planning exercise

Assessment complies with the assessment requirements of the relevant training package or VET accredited course. ☐ ☒

Assessment is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of evidence contained in Table 1.8-2 ☐ ☒

BSB30115 Certificate III in Business

BSBCUS301 Deliver and monitor a service to customers

BSBFLM312 Contribute to team effectiveness

Assessment complies with the assessment requirements of the relevant training package or VET accredited course. ☐ ☒

Assessment is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of evidence contained in Table 1.8-2 ☐ ☒

BSB51915 Diploma of Leadership and Management

BSBLDR502 Lead and manage effective workplace relationships

MGT517 Manage operational plan

Assessment complies with the assessment requirements of the relevant training package or VET accredited course. ☐ ☒



Assessment is conducted in accordance with the Principles of Assessment contained in ☐ Table 1.8-1 and the Rules of evidence contained in Table 1.8-2 ☒

Reasons for finding of non-compliance:

SIS30313 Certificate III in Fitness

SISFFIT301A Provide fitness orientation and health screening

Module 7 Fitness Orientation and Health Assessment delivered in a cluster with SISFFIT301A, SISFFIT303A, SISXIND101A, SISFFIT302A

SISFFIT305A Apply anatomy and physiology principles in a fitness context

Module 2 Anatomy and Physiology

Module 3 Exercise Physiology

Module 9 Exercise Instruction delivered in a cluster with SISFFIT303A, SISFFIT307A, SISXIND302A, SISXOHS101A, SISXRSK301A

Assessment material includes:

- Project
- Multiple choice /true false questions.
- Case study/short answers
- Third party report can be completed by either a mentor (someone who works in gym) in the student local gym. Recorded in a log book with instruction for student and third party.
- Practical assessment can be face to face with a silver academy tutor (assess only) or by video.
- Mentoring weekends/workshops and recorded in a log book.
- Written instructions provided for students, mentors, trainer/assessors and third party for all activities/assessments.

Analysis of evidence identified for SISFFIT301A Provide fitness orientation and health screening:

- A review of completed student assessment records provided by the RTO could not verify the validity and sufficiency of the students work. Additionally the assessment records examined demonstrated that students have been determined competent without sufficient evidence to support the determination of competence. For example:
- Student Daniel Frew 6/12/2014
 - Completed Practical Assessment 1: Fitness Orientation and Health Assessment
The practical assessment does not clearly articulate the performance levels required and provide guidance for the assessor that ensure evidence presented for assessment is consistently interpreted and comparable assessment judgements being made across different learners and assessors and over time.

Analysis of evidence identified for SISFFIT305A Apply anatomy and physiology principles in a fitness context:

- A review of completed student assessment records provided by the RTO could not verify the authenticity and currency of the student's work.
- Student Dylan Foster 2014
 - Completed workbook for Project 1: Case Studies located on Moodle under the students name.
The completed student workbook did not include the students name nor the assessors name, signature and date of assessment.
- Ellyn Kavanagh 2015
 - Completed workbook for Project 1: Case Studies.
The completed student workbook does not include the assessors name, signature and date of assessment.

SISFFIT301A Provide fitness orientation and health screening



Practical Assessment 1: Fitness Orientation (current version)

- The organisation has not demonstrated that the approach and design of the practical assessment tool will meet the principles of assessment (reliability) and rules of evidence (validity and sufficiency) as the assessor is not assured that the learner has demonstrated the performance evidence as described in each unit of competency.
- The design of this evidence gathering tool includes several observable tasks for each skill and does not make provision for each observable task to be addressed separately and include clearly articulated performance levels required that ensure performance standards are consistent with the requirements of the unit of competency.
- Additionally it does not provide guidance for the assessor that ensure evidence presented for assessment is consistently interpreted and comparable assessment judgements being made across different learners and assessors and over time.

SIS40210 Certificate IV in Fitness

SISFFIT416A Apply motivational psychology to provide guidance on exercise behaviour and change to meet health and fitness goals

SISFFIT419A Apply exercise science principles to planning exercise

Recognition of Prior Learning (RPL)

Assessment material provided:

- Assessment divided into four Skills Sets
 - Skill Set 1: Personal Training
 - Skill Set 2: Working with Athletes
 - Skill Set 3: Working with other client populations
 - Skill Set 4: Small business skills
- Self assessment tool
- Fitness industry experience
- Written Question/Answer
- Competency Conversation

Analysis of evidence identified:

- The organisation has not demonstrated it has instructions for both the assessor and student in relation to the RPL requirements and process.
- The organisation has not demonstrated it has a mechanism in place that provides for a judgement of competence by a trainer/assessor based on evidence of the learner performance that is aligned to the unit/s of competency and associated assessment requirements.
- Furthermore, the listed questions do not have corresponding answers provided and do not ensure evidence presented for assessment is consistently interpreted and comparable assessment judgements being made across different learners and assessors and over time.

BSB30115 Certificate III in Business

BSBCUS301 Deliver and monitor a service to customers

BSBFLM312 Contribute to team effectiveness

BSB51915 Diploma of Leadership and Management

BSBLDR502 Lead and manage effective workplace relationships

BSBMGT517 Manage operational plan

- No assessment tools were provided at audit for the above units of competency nor for any units packaged for the above qualifications. Consequently the organisation did not demonstrate it has an assessment system that complies with the assessment requirements of each of the above qualifications and that ensures assessment will be conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2



In order to become compliant, the organisation is required to:

SIS30313 Certificate III in Fitness

SISFFIT301A Provide fitness orientation and health screening

SISFFIT305A Apply anatomy and physiology principles in a fitness context

- Provide a complete set of assessment materials for the units of competency listed above that meet the principles of assessment, rules of evidence and all the requirements of each unit of competency.
- Provide evidence of guidance to assessors on the level of performance required in the assessment checklists to ensure a reliable decision of competence can be made.
- Provide assessment materials that combine to collect evidence of an individual candidate's competence in performing all aspects of the unit of competency and which provide sufficient guidance for candidates about the context of assessment tasks

SIS40210 Certificate IV in Fitness-RPL

SISFFIT416A Apply motivational psychology to provide guidance on exercise behaviour and change to meet health and fitness goals

SISFFIT419A Apply exercise science principles to planning exercise

- Provide RPL assessment material for SIS40210 Certificate IV in Fitness and the development of assessment material specific to the above listed units that meet the principles of assessment, rules of evidence and the requirements of the units of competency.

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Provide a complete suite of assessment materials for all units packaged for each of the above qualifications that demonstrates the RTO implements an assessment system that ensures that assessment (including recognition of prior learning):
 - complies with the assessment requirements of the BSB Business Services Training Package; and
 - is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.

Analysis of rectification evidence:

SIS30313 Certificate III in Fitness

SISFFIT301A Provide fitness orientation and health screening

Evidence provided:

- Silver Academy Assessor Guide to Written and Practical Assessment
- SIS30313 Training and Assessment Strategy
- SIS30313 Evidence Matrix Mapping Grid
- SIS30313 Practical Log Book
- SIS30313 Practical Assessment Assessor Guide
- SIS30313 Practical Assessment Student Guide
- Resources for Assessment SIS30313
- Fitlink Mentoring Program Guide
- Explanation of Assessment Materials for SISFFIT301A
- Module 7: Revision Activity Questions
- Module 7: SAQ's
- Module 7 Project: 1 - Summary of Findings and Referrals
- Health Screening Case Studies – Janine, Bella, Scott
- Module 8 Project 1: Fitness Testing - Case Studies
- Analysis of the evidence provided has determined that if assessment practices adhere to the requirements detailed in the updated assessment materials this will ensure the RTO implements an assessment system that ensures that assessment (including recognition of prior learning):



- a) complies with the assessment requirements of the relevant training package or VET accredited course; and
- b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.

SISFFIT305A Apply anatomy and physiology principles in a fitness context

Evidence provided:

- Silver Academy Assessor Guide to Written and Practical Assessment
- SIS30313 Training and Assessment Strategy
- SIS30313 Evidence Matrix Mapping Grid
- SIS30313 Practical Log Book
- SIS30313 Practical Assessment Assessor Guide
- SIS30313 Practical Assessment Student Guide
- Resources for Assessment SIS30313
- Fitlink Mentoring Program Guide
- Module 8 – Revision Activity Questions and Examination
- Module 9 – Revision Activity Questions and Examination
- Module 2 – Revision Activity Questions and Examination
- Module 2,3,6,8,9 – Short answer questions
- Module 8 Log Book: 3 – Fitness Testing
- Module 8 Practical Assessments: 3 - Fitness Testing
- Module 9 Log Books: 4 – Demonstrating Exercise, 5 – Instructing Exercise, 6 – Delivering a Circuit Training Session
- Module 9 Practical Assessments: 4 – Delivering Exercise Programmes, 5 – Delivering a Community Fitness Programme – Circuit Training
- Analysis of the evidence provided has determined that if assessment practices adhere to the requirements detailed in the updated assessment materials this will ensure the RTO implements an assessment system that ensures that assessment (including recognition of prior learning):
 - a) complies with the assessment requirements of the relevant training package or VET accredited course; and
 - b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.

SIS40210 Certificate IV in Fitness-RPL

SISFFIT416A Apply motivational psychology to provide guidance on exercise behaviour and change to meet health and fitness goals

SISFFIT419A Apply exercise science principles to planning exercise

Evidence provided:

- SIS40210 Certificate IV in Fitness RPL Master Document
- Silver Academy Assessor Guide to Written and Practical Assessment
- SIS40210 Training and Assessment Strategy
- SIS40210 Evidence Matrix Mapping Grid
- SIS40210 Practical Log Book
- SIS40210 Practical Assessment Assessor Guide
- SIS40210 Practical Assessment Student Guide
- Resources for Assessment SIS40210
- Fitlink Mentoring Program Guide
- SISFFIT416A Module 5 – Health and Wellness SAQ's
- SISFFIT416A Module 5 Project – Food Diaries and Exercise Programs – Student Guide, Assessor Guide
- SISFFIT419A Module 2 Revision Activity Questions
- SISFFIT419A Module 3 Revision Activity Questions
- SISFFIT419A Module 3 Project 2 – Analysis of Static Posture Student Guide, Assessor Guide



- SISFFIT419A Module 4 Revision Activity Questions
- SISFFIT419A Dynamic Postural Assessment Student Guide, Assessor Guide
- SISFFIT419A Module 4 Project 1 – Writing a Personal Training Program
- Analysis of the evidence provided has determined that if assessment practices adhere to the requirements detailed in the updated assessment materials including those for the RPL materials this will ensure the RTO implements an assessment system that ensures that assessment (including recognition of prior learning):
 - a) complies with the assessment requirements of the relevant training package or VET accredited course; and
 - b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

Evidence provided:

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.

Clause 1.9

The RTO implements a plan for ongoing systematic validation of assessment practices and judgements that includes for each training product on the RTO's scope of registration:

- a) when assessment validation will occur;
- b) which training products will be the focus of the validation;
- c) who will lead and participate in validation activities; and
- d) how the outcomes of these activities will be documented and acted upon.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N	N/A
A plan for ongoing systematic validation of assessment has been developed that identifies:			
• when assessment validation will occur for each training product on the RTO's scope of registration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• who will lead and participate in validation activities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• how the validation outcomes will be documented and acted upon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
The plan for validation has been implemented	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for finding of non-compliance:

- Evidence consists of
 - Training and assessment strategies for:
 - BSB30115 Certificate III in Business
 - BSB51915 Diploma of Leadership and Management
 - SIS30313 Certificate III in Fitness
 - SIS40210 Certificate IV in Fitness



- A validation plan was provided for each of the above qualifications however the organisation stated at audit that no validation had occurred since December 2015 even though this was scheduled to occur in the plan.
- Furthermore, no evidence was provided to demonstrate who would lead and participate in the validation activities. The evidence indicated an adhoc approach to the validation activities.

In order to become compliant, the organisation is required to:

- Provide evidence that demonstrates the RTO has ensured it implements a plan for ongoing systematic validation of assessment practices and judgements that includes for each training product on the RTO's scope of registration:
 - when assessment validation will occur;
 - which training products will be the focus of the validation;
 - who will lead and participate in validation activities; and
 - how the outcomes of these activities will be documented and acted upon.

Analysis of rectification evidence:

Evidence provided:

- Silver Academy Validation policy
- TAS extract SIS3013 Validation and Moderation
- TAS extract SIS40210 Validation and moderation
- Validation Meeting Minutes – for periods 27 May 2015 to 16 May 2016
- The evidence demonstrates the RTO has ensured it implements a plan for ongoing systematic validation of assessment practices and judgements that includes for each training product on the RTO's scope of registration:
 - when assessment validation will occur;
 - which training products will be the focus of the validation;
 - who will lead and participate in validation activities; and
 - how the outcomes of these activities will be documented and acted upon.

Clause 1.10

For the purposes of [Clause 1.9](#), each training product is validated at least once every five years, with at least 50% of products validated within the first three years of each five year cycle, taking into account the relative risks of all of the training products on the RTO's scope of registration, including those risks identified by the VET Regulator.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N	N/A
The plan for validation of assessment ensures:			
• all training products will be validated at least once every five years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• at least 50% of training products will be validated in the first three years of the above cycle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• relative risk of all training products are taken into account in scheduling validation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• training products identified as high risk by ASQA are taken into account in scheduling validation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The above have been achieved in implementing the plan for validation of assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for finding of non-compliance:

- Evidence consists of
 - Training and assessment strategies for:



- BSB30115 Certificate III in Business
- BSB51915 Diploma of Leadership and Management
- SIS30313 Certificate III in Fitness
- SIS40210 Certificate IV in Fitness
- The evidence provided indicates the dates set in the validation plans are arbitrary as the dates selected across the various courses are exactly the same. Furthermore, no evidence was provided to demonstrate the organisation had considered the relative risk of the training products are taken into account in scheduling validation. For example but not limited to the considering risks associated with programs that have enrolments and those that have no enrolments.

In order to become compliant, the organisation is required to:

- Provide evidence that demonstrates each training product will be validated at least once every five years, with at least 50% of products validated within the first three years of each five year cycle, taking into account the relative risks of all of the training products on the RTO's scope of registration, including those risks identified by the VET Regulator.

Analysis of rectification evidence:

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

Evidence provided

- Silver Academy Validation policy
- TAS extract SIS3013 Validation and Moderation
- TAS extract SIS40210 Validation and moderation
- The evidence demonstrates the above training products will be validated at least once every five years, with at least 50% of products validated within the first three years of each five year cycle, taking into account the relative risks of all of the training products on the RTO's scope of registration, including those risks identified by the VET Regulator.

Clause 1.11

For the purposes of [Clause 1.9](#), systematic validation of an RTO's assessment practices and judgements is undertaken by one or more persons who are not directly involved in the particular instance of delivery and assessment of the training product being validated, and who collectively have:

- a) vocational competencies and current industry skills relevant to the assessment being validated;
- b) current knowledge and skills in vocational teaching and learning; and
- c) the training and assessment qualification or assessor skill set referred to in Item 1 or 3 of Schedule 1.

Industry experts may be involved in validation to ensure there is the combination of expertise set out in (a) to (c) above.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
Validation of assessment has been completed for at least one training product.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If no, clause is not audited. If yes:		
Validation of assessment has been undertaken by one or more persons who, collectively, hold:		
• relevant vocational competencies and current industry skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• current knowledge and skills in VET teaching and learning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• TAE40110 Certificate IV in Training and Assessment (or its successor) or TAESS00001 Assessor skill set (or its successor)	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Final validation decisions are made by a person who was not directly involved with the delivery and assessment of the training product being validated ☒ ☐

Clause 1.12

The RTO offers recognition of prior learning to individual learners.

Original finding: Compliant

Following rectification: n/a

Evidence guidance

Y

N

RPL has been offered to individual learners

☒

☐

Clause 1.13

In addition to the requirements specified in [Clause 1.14](#) and [Clause 1.15](#), the RTO's training and assessment is delivered only by persons who have:

- a) vocational competencies at least to the level being delivered and assessed;
- b) current industry skills directly relevant to the training and assessment being provided; and
- c) current knowledge and skills in vocational training and learning that informs their training and assessment.

Industry experts may also be involved in the assessment judgement, working alongside the trainer and/or assessor to conduct the assessment.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance

Each trainer / assessor **must meet all** requirements for each training product being delivered:

Trainer / Assessor name	Training product code/s delivered	1.13 (a)		1.13 (b)		1.13 (c)	
		Y	N	Y	N	Y	N
Andrew Callaghan	SIS30313, SIS40210, SIS50213	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Danny Atamu	SIS30313, SIS40210	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gerard Fitzpatrick	SIS30313, SIS40210, SIS50213	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jade Rehu	SIS30313, SIS40210	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Matt Perry (no longer with organisation)	SIS30313, SIS40210	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for finding of non-compliance:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management



- No evidence was provided by the organisation that demonstrates for the above qualifications training and assessment is delivered only by persons who have:
 - vocational competencies at least to the level being delivered and assessed;
 - current industry skills directly relevant to the training and assessment being provided; and
 - current knowledge and skills in vocational training and learning that informs their training and assessment.

In order to become compliant, the organisation is required to:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- for the above qualifications provide evidence that demonstrates training and assessment will be delivered only by persons who have:
 - vocational competencies at least to the level being delivered and assessed;
 - current industry skills directly relevant to the training and assessment being provided; and
 - current knowledge and skills in vocational training and learning that informs their training and assessment.

Analysis of rectification evidence:

Evidence provided:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.

Clause 1.14

The RTO's training and assessment is delivered only by persons who have:

- ~~a) prior to 1 January 2016, the training and assessment qualification specified in Item 1 or Item 2 of Schedule 1, or demonstrated equivalence of competencies; and~~
 b) from 1 January 2016, the training and assessment qualification specified in Item 1 or Item 2 of Schedule 1.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance		Y	N
VET qualifications of trainers and assessors have been verified		<input type="checkbox"/>	<input type="checkbox"/>
Each trainer / assessor must meet at least one of the following requirements:			
Trainer / Assessor name	Schedule 1 Item 1	Schedule 1 Item 2	
	Y N	Y	N



Andrew Callaghan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Danny Atamu	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerard Fitzpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jade Rehu	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matt Perry (no longer with org)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Schedule 1, Item 1: TAE40110 Certificate IV in Training and Assessment or its successor

Schedule 1, Item 2: A Diploma or higher level qualification in adult education

Reasons for finding of non-compliance:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- For the above qualifications no evidence was provided by the organisation to demonstrate training and assessment is delivered only by persons who have the training and assessment qualification specified in item 1 or Item 2 of Schedule 1 of the Standards for Registered Training Organisations (RTOs) 2015;

In order to become compliant, the organisation is required to:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- For the above qualifications provide evidence that demonstrates training and assessment will be delivered only by persons who have the training and assessment qualification specified in item 1 or Item 2 of Schedule 1 of the Standards for Registered Training Organisations (RTOs) 2015.

Analysis of rectification evidence:

Evidence provided:

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.



Clause 1.15

Where a person conducts assessment only, the RTO ensures that the person has:

- a) ~~prior to 1 January 2016, the training and assessment qualification specified in Item 1 or Item 2 or Item 3 of Schedule 1, or demonstrated equivalence of competencies; and~~
b) from 1 January 2016, Item 1 or Item 2 or Item 3 of Schedule 1.

Original finding: Compliant

Following rectification: n/a

Evidence guidance

Y N

The RTO uses assessors that conduct assessment only.

☒ ☐

If no, clause is not audited. If yes:

Each assessor **must meet at least one** of the following requirements:

Assessor name	Schedule 1 Item 1		Schedule 1 Item 2		Schedule 1 Item 3	
	Y	N	Y	N	Y	N
Jade Rehu and Danny Atamu	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Schedule 1, Item 1: TAE40110 Certificate IV in Training and Assessment or its successor

Schedule 1, Item 2: A Diploma or higher level qualification in adult education

Schedule 1, Item 3: TAESS00001 Assessor Skill Set or its successor

Clause 1.16

The RTO ensures that all trainers and assessors undertake professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance

Y N

Trainers and assessors undertake professional development in the knowledge and practice of vocational training, learning and assessment, including competency based training and assessment

☐ ☒

Reasons for finding of non-compliance:

Jade Rehu

- For the above nominated assessor no evidence was provided to demonstrate the assessor undertakes professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment.

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- For the above qualifications no evidence was provided that demonstrate the RTO has ensured that all trainers and assessors undertake professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment.



In order to become compliant, the organisation is required to:

Jade Rehu

- For the above nominated assessor provide evidence that demonstrate Jade has undertaken professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

- For the above qualifications provide evidence that demonstrates the RTO has ensured that all trainers and assessors undertake professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment.

Analysis of rectification evidence:

Jade Rehu

Evidence provided:

- Jade Rehu – professional Developmental Plan
- VELG receipt for PD webinar
- Silver Academy Trainer and Assessor Currency Policy
- Service skills Australia newsletter subscription
- Jade Rehu Evidence of Email newsletter subscriptions
- Jade Rehu Trainer Assessor Vocational Logbook
- The evidence demonstrates the above nominated trainer/assessor has undertaken professional development in the fields of the knowledge and practice of vocational training, learning and assessment including competency based training and assessment

BSB30115 Certificate III in Business

BSB51915 Diploma of Leadership and Management

Evidence provided:

- Audit Rectification summary and Master Index Document
- Rectification of BSB30115 and BSB51915 – TGA screen shot of
- The Rectification of BSB30115 and BSB51915 document states rectification for BSB30115 and BSB51915 has been addressed by removing these qualifications from scope. The application to withdraw qualifications from its scope of registration was submitted on 30 May 2016 and was approved on 1 June 2016.
- No further rectification evidence was provided to rectify the identified non-compliances for the above qualifications.
- No further rectification is required regarding this Clause for these qualifications.

Clause 1.17

Where the RTO, in delivering training and assessment, engages an individual who is not a trainer or assessor, the individual works under the supervision of a trainer and does not determine assessment outcomes.

Original finding: Compliant

Following rectification: n/a

Evidence guidance

Y N

People delivering training under supervision are utilised

☒ ☐

If no, clauses 1.17 – 1.20 are not audited, go to [Clause 1.22](#). If yes:



Supervision is provided by a trainer that meets the requirements of clauses 1.13 and 1.14	<input checked="" type="checkbox"/>	<input type="checkbox"/>
People under supervision do not determine assessment outcomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 1.18

The RTO ensures that any individual working under the supervision of a trainer under Clause 1.17:

- a) holds the skill set defined in Item 4 of Schedule 1 ~~or, prior to 1 January 2016, is able to demonstrate equivalence of competencies;~~
- b) has vocational competencies at least to the level being delivered and assessed; and
- c) has current industry skills directly relevant to the training and assessment being provided.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N
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Each individual who works under the supervision of a trainer **must meet all** requirements for each training product being delivered:

Individual working under supervision name	Training product code/s delivered		1.18 (a)		1.18 (b)		1.18 (c)	
			Y	N	Y	N	Y	N

Student nominated mentors - SIS30313, SIS40210
TBA

☐ ☒ ☐ ☒ ☐ ☒

*Schedule 1, Item 4: TAESS00003 Enterprise trainer and assessor skill set or its successor, or
TAESS00007 Enterprise trainer – presenting skill set or its successor; or
TAESS00008 Enterprise trainer – mentoring skill set or its successor*

Reasons for finding of non-compliance:

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For the above qualifications learners are encouraged to source a fitness industry mentor to work alongside to provide fitness training development. However, no evidence was provided to demonstrate that the RTO has ensured the student nominated mentors being used to provide training:
 - holds the skill set defined in Item 4 of Schedule 1 of the Standards for Registered Training Organisations (RTOs) 2015;
 - has vocational competencies at least to the level being delivered and assessed; and
 - has current industry skills directly relevant to the training and assessment being provided.

In order to become compliant, the organisation is required to:

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

- For the above qualifications provide evidence that demonstrates the RTO ensures the student nominated mentors being used to provide training:
 - holds the skill set defined in Item 4 of Schedule 1 of the Standards for Registered Training Organisations (RTOs) 2015;
 - has vocational competencies at least to the level being delivered and assessed; and



- has current industry skills directly relevant to the training and assessment being provided.

Analysis of rectification evidence:

SIS30313 Certificate III in Fitness

SIS40210 Certificate IV in Fitness

Evidence provided:

- Explanation of the role of mentors
- Mentor registration Policy and Procedure
- Mentor Induction
- The evidence now clearly articulates that Silver Academy does not use mentors to deliver training and /or assessment. The role of the mentor is that of a workplace supervisor and is in a position to attest to the student's practice.
- No further rectification is required regarding this Clause for these qualifications.

Clause 1.19

Where the RTO engages an individual under Clause 1.17, it ensures that the training and assessment complies with Standard 1.

Original finding: Compliant

Following rectification: n/a

Evidence guidance

Y

N

Training and assessment complies with Standard 1

☒

☐

Clause 1.20

Without limiting Clauses 1.17 - 1.19, the RTO:

a) determines and puts in place:

i) the level of the supervision required; and

ii) any requirements, conditions or restrictions considered necessary on the individual's involvement in the provision of training and collection of assessment evidence; and

b) ensures that trainers providing supervision monitor and are accountable for all training provision and collection of assessment evidence by the individual under their supervision.

Original finding: Compliant

Following rectification: n/a

Evidence guidance

Y

N

Supervision arrangements have been identified

☒

☐

People delivering training under supervision have been monitored by the supervising trainer

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☐

Clause 1.21

Prior to 1 January 2016, to deliver any AQF qualification or skill set from the Training and Education Training Package (or its successor) the RTO must ensure all trainers and assessors delivering the training and assessment:

a) hold the training and assessment qualification at least to the level being delivered; or

b) have demonstrated equivalence of competencies.

Not audited - clause does not apply from 1 January 2016 (Clause 1.22 applies from this date)



Clause 1.22

From 1 January 2016, to deliver any AQF qualification or skill set from the Training and Education Training Package (or its successor) the RTO must ensure all trainers and assessors delivering the training and assessment hold the training and assessment qualification at least to the level being delivered.

~~Note: from 1 January 2017, the requirements set out in Clause 1.22 continue to apply to any other AQF qualification or skill set from the Training and Education Training Package (or its successor).~~

Original finding: Not audited

Following rectification: n/a

Evidence guidance

Y N

A TAE qualification or skill set is included in the audit scope

☐ ☒

If no, clause is not audited. If yes:

Clause 1.23

From 1 January 2017, to deliver the training and assessment qualification specified in Item 1 of Schedule 1, or any assessor skill set from the Training and Education Training Package (or its successor), the RTO must ensure all trainers and assessors delivering the training and assessment:

- a) hold the qualification specified in Item 5 of Schedule 1; or
- b) work under the supervision of a trainer that meets the requirement set out in (a) above.

Not audited as clause does not commence until 1 January 2017

Clause 1.24

The RTO must ensure that any individual working under supervision under Clause 1.23.b) holds the qualification specified in Item 1 of Schedule 1 and does not determine assessment outcomes.

Not audited as clause does not commence until 1 January 2017

Clause 1.25

From 1 January 2016, to deliver any AQF qualification or assessor skill set from the Training and Education Training Package (or its successor), the RTO must have undergone an independent validation of its assessment system, tools, processes and outcomes in accordance with the requirements contained in Schedule 2 (and the definitions of independent validation and validation).

Original finding: Not audited

Following rectification: n/a

Evidence guidance

Y N N/A

A TAE qualification or the assessor skill set is included in the audit scope?

☐ ☒

If no, clause is not audited.

If yes and RTO is applying to add training product to scope, Schedule 2 a) and c) apply

If yes and training product is already on scope, Schedule 2 b) and c) apply

Schedule 2 a) (addition to scope only)

Validation of the RTO's assessment tools, processes and outcomes for five (5) other AQF qualifications and/or units of competency on scope has occurred (or all, if RTO has less than five (5) qualifications and/or units on scope)

☐ ☐ ☐

Validation of the assessment system to be adopted in the delivery of the training and assessment qualification or assessor skill set has occurred.

☐ ☐ ☐



Schedule 2 b) (RTOs that already have TAE training products on scope)

Validation of the assessment system used for delivery of the training and assessment qualification or assessor skill set has occurred. ☐ ☐ ☐

Validation of the RTO's assessment tools, processes and outcomes in relation to the training and assessment qualification or assessor skill set has occurred. ☐ ☐ ☐

Schedule 2 c)

Validation has been carried out by a validator/s who:

- collectively have current knowledge and skills in vocational teaching and learning ☐ ☐
- hold the training and assessment qualification or assessor skill set at least to the level being validated ☐ ☐
- are not employed or subcontracted by the RTO to provide training and assessment ☐ ☐
- have no other involvement or interest in the operations of the RTO ☐ ☐

Clause 1.26

Subject to [Clause 1.27](#) and unless otherwise approved by the VET Regulator, the RTO ensures that:

- a) where a training product on its scope of registration is superseded, all learners' training and assessment is completed and the relevant AQF certification documentation is issued or learners are transferred into its replacement, within a period of one year from the date the replacement training product was released on the National Register;
- b) where an AQF qualification is no longer current and has not been superseded, all learners' training and assessment is completed and the relevant AQF certification documentation issued within a period of two years from the date the AQF qualification was removed or deleted from the National Register;
- c) where a skill set, unit of competency, accredited short course or module is no longer current and has not been superseded, all learners' training and assessment is completed and the relevant AQF certification documentation issued within a period of one year from the date the skill set, unit of competency, accredited short course or module was removed or deleted from the National Register; and
- d) a new learner does not commence training and assessment in a training product that has been removed or deleted from the National Register.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N	N/A
One or more training products on the RTO's scope of registration has been superseded, removed or deleted since 1 April 2015	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If no, clause is not audited. If yes:			
Learners have been completed and issued certification or transferred to the replacement within one year of training products being superseded	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Learners have been completed and issued certification within two years of qualifications being removed or deleted	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Learners have been completed and issued certification within one year of skill sets, units, modules or short courses being removed or deleted	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Learners are not commenced in training products that have been removed or deleted	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Clause 1.27**

The requirements specified in [Clause 1.26](#) (a) do not apply where a training package requires the delivery of a superseded unit of competency.

Original finding: Not audited

Following rectification: n/a

Evidence guidance**Y****N**

One or more training products on the RTO's scope of registration requires delivery of a superseded unit of competency ☐ ☒

If no, clause is not audited. If yes:

The superseded unit of competency has continued to be delivered as required by training product packaging rules ☐ ☐

STANDARD 2

The operations of the RTO are quality assured.

To be compliant with Standard 2 the RTO must meet the following:

Clause 2.1

The RTO ensures it complies with these Standards at all times, including where services are being delivered on its behalf. This applies to all operations of an RTO within its scope of registration.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance**Y****N**

The RTO is compliant with the clauses sampled across all operations within its scope of registration ☐ ☒

Reasons for finding of non-compliance:

- The non-compliance identified at audit indicated that the RTO was not compliant with all of the Standards included within the scope of the audit, as applicable to the RTO's scope of registration and operations.

In order to become compliant, the organisation is required to:

- Provide evidence that satisfactorily rectifies all of the non-compliance identified in the audit report.

Analysis of rectification evidence:

- The organisation has provided rectification evidence to address the non-compliances across all clauses. The rectification evidence received has been determined compliant, the RTO is therefore compliant with this clause.

Clause 2.2

The RTO:

a) systematically monitors the RTO's training and assessment strategies and practices to ensure ongoing compliance with Standard 1; and

b) systematically evaluates and uses the outcomes of the evaluations to continually improve the RTO's training and assessment strategies and practices. Evaluation information includes but is not limited to quality/performance indicator data collected under Clause 7.5, validation outcomes, client, trainer and assessor feedback and complaints and appeals.

Original finding: Compliant

Following rectification: n/a



Evidence guidance	Y	N
Training and assessment strategies and practices are systematically monitored, including evaluation of:		
• AVETMISS data	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• quality indicator data	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• validation outcomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• client feedback	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• trainer and assessor feedback	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• complaints and appeals	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Outcomes of monitoring have informed improvement activities	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 2.3

The RTO ensures that where services are provided on its behalf by a third party the provision of those services is the subject of a written agreement.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
Third party arrangements are in place for delivery of services	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If no, clauses 2.3 – 2.4 are not audited. If yes:		
A written agreement is in place for each arrangement (also refer Clause 8.2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 2.4

The RTO has sufficient strategies and resources to systematically monitor any services delivered on its behalf, and uses these to ensure that the services delivered comply with these Standards at all times.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N	N/A
Strategies have been developed to systematically monitor third party arrangements to ensure services comply with these Standards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
The above strategies have been implemented	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STANDARD 3

The RTO issues, maintains and accepts AQF certification documentation in accordance with these Standards and provides access to learner records.

To be compliant with Standard 3 the RTO must meet the following:

Clause 3.1

The RTO issues AQF certification documentation only to a learner whom it has assessed as meeting the requirements of the training product as specified in the relevant training package or VET accredited course.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N
Only learners who have been assessed as meeting the requirements of the training product	<input type="checkbox"/>	<input checked="" type="checkbox"/>



are issued with AQF certification documentation

Reasons for finding of non-compliance:

- The non-compliance identified in respect of Clause 1.8 did not support that the RTO will only issue AQF certification to a learner who it had assessed as meeting all of the requirements of the training product as specified in the relevant training package.

In order to become compliant, the organisation is required to:

- Provide evidence that satisfactorily rectifies the non-compliance identified in respect of Clause 1.8, to demonstrate that assessment will address all training package requirements and that the evidence collected through the assessment process will support competency judgements, so as to ensure that the RTO will only issue AQF certification documentation to a learner it has assessed as meeting the requirements of the training product, as specified in the relevant training package.

Analysis of rectification evidence:

- The organisation has provided evidence that satisfactorily rectifies the non-compliance identified in respect of Clause 1.8, to demonstrate that assessment will address all training package requirements and that the evidence collected through the assessment process will support competency judgements, so as to ensure that the RTO will only issue AQF certification documentation to a learner it has assessed as meeting the requirements of the training product, as specified in the relevant training package.

Clause 3.2

All AQF certification documentation issued by an RTO meets the requirements of Schedule 5.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N
AQF certification documentation:		
• complies with the AQF Qualifications Issuance Policy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• complies with the requirements of Schedule 5 to these Standards	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• a register of all qualifications issued is maintained	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reference: [AQF Qualifications Issuance Policy](#), [AQF Qualifications Register Policy](#)

Reasons for finding of non-compliance:

- The sample statement of attainment provided by the applicant RTO at audit did not contain wording consistent with AQF Qualifications Issuance Policy and Schedule 5 to the Standards.

In order to become compliant, the organisation is required to:

- Provide a revised sample statement of attainment that demonstrates that the applicant RTO will only issue AQF certification documentation that complies with the AQF Qualifications Issuance Policy and the requirements of Schedule 5 to the *Standards for Registered Training Organisations (RTOs) 2015*.

Analysis of rectification evidence:

Evidence provided:

- SIS30313 Statement of Attainment
- SIS40210 Statement of Attainment



- The evidence demonstrates the organisation's statements of attainment comply with the AQF Qualifications Issuance Policy and the requirements of Schedule 5 to the *Standards for Registered Training Organisations (RTOs) 2015*.

Clause 3.3

AQF certification documentation is issued to a learner within 30 calendar days of the learner being assessed as meeting the requirements of the training product if the training program in which the learner is enrolled is complete, and providing all agreed fees the learner owes to the RTO have been paid.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
AQF certification documentation is issued within 30 days of all requirements being met	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 3.4

Records of learner AQF certification documentation are maintained by the RTO in accordance with the requirements of Schedule 5 and are accessible to current and past learners.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
Records of qualifications and statements of attainment issued, sufficient to enable reissuance, are retained for a period of 30 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The above records are accessible to current and past learners	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 3.5

The RTO accepts and provides credit to learners for units of competency and/or modules (unless licensing or regulatory requirements prevent this) where these are evidenced by:

- AQF certification documentation issued by any other RTO or AQF authorised issuing organisation; or**
- authenticated VET transcripts issued by the Registrar.**

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
Credit is provided to learners for units or modules where evidenced by AQF certification documentation or an authenticated VET transcript (unless licensing or regulatory requirements prevent this)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 3.6

The RTO meets the requirements of the Student Identifier scheme, including:

- verifying with the Registrar, a Student Identifier provided to it by an individual before using that Student Identifier for any purpose;**
- ensuring that it will not issue AQF certification documentation to an individual without being in receipt of a verified Student Identifier for that individual, unless an exemption applies under the Student Identifiers Act 2014;**
- ensuring that where an exemption described in Clause 3.6 (b) applies, it will inform the student prior to either the completion of the enrolment or commencement of training and assessment, whichever occurs first, that the results of the training will not be accessible through the Commonwealth and will not appear on any authenticated VET transcript prepared by the Registrar; and**
- ensuring the security of Student Identifiers and all related documentation under its control, including information stored in its student management systems.**



Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N	N/A
Student Identifiers are verified before being used	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
AQF certification document is only issued to an individual with a verified Student Identifier, unless an exemption applies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Where an exemption applies, learners are informed prior to commencement that results will not be included in the USI system	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Security of Student Identifiers and related records is ensured	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

STANDARD 4	<p>Accurate and accessible information about an RTO, its services and performance is available to inform prospective and current learners and clients.</p> <p>To be compliant with Standard 4 the RTO must meet the following:</p>
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Clause 4.1

Information, whether disseminated directly by the RTO or on its behalf, is both accurate and factual, and:

- a) accurately represents the services it provides and the training products on its scope of registration;
- b) includes its RTO Code;
- c) refers to another person or organisation in its marketing material only if the consent of that person or organisation has been obtained;
- d) uses the NRT Logo only in accordance with the conditions of use specified in Schedule 4;
- e) makes clear where a third party is recruiting prospective learners for the RTO on its behalf;
- f) distinguishes where it is delivering training and assessment on behalf of another RTO or where training and assessment is being delivered on its behalf by a third party;
- g) distinguishes between nationally recognised training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the RTO;
- h) includes the code and title of any training product, as published on the National Register, referred to in that information;
- i) only advertises or markets a non-current training product while it remains on the RTO's scope of registration;
- j) only advertises or markets that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised;
- k) includes details about any VET FEE-HELP, government funded subsidy or other financial support arrangements associated with the RTO's provision of training and assessment; and
- l) does not guarantee that:
 - i) a learner will successfully complete a training product on its scope of registration; or
 - ii) a training product can be completed in a manner which does not meet the requirements of [Clause 1.1](#) and [1.2](#); or
 - iii) a learner will obtain a particular employment outcome where this is outside the control of the RTO.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N	N/A
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Advertising and marketing:



• is accurate and factual	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• accurately represents the services provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• accurately represents the RTO scope of registration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• includes the RTO code	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• only refers to a person or organisation with their consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• uses the NRT logo in accordance with the conditions of use specified in Schedule 4 of these Standards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• identifies where a third party is recruiting prospective learners on behalf of the RTO	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• identifies where training and assessment is being provided on behalf of another RTO	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• identifies where training and assessment is being provided by a third party	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• distinguishes between national recognised training and other training	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• includes the code and title of each training product as per www.training.gov.au	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• includes accurate information about licensed or regulated outcomes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• includes details about financial support provided, including VET FEE-HELP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• includes details about relevant government funding subsidies	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does not guarantee that a learner:			
• will successfully complete a training product	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• can complete a training product in a manner not compliant with Clauses 1.1 or 1.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• will obtain a particular employment outcome unless this is in the control of the RTO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Reasons for finding of non-compliance:

- Information on the organisation's website is inaccurate. For example but not limited to information about the timing of mentor workshops – the calendar is not accurate and refers to details concerning operations in New Zealand

In order to become compliant, the organisation is required to:

- Provide evidence that demonstrates information on the organisation's website is accurate. For example but not limited to information about the timing of mentor workshops.

Analysis of rectification evidence:

Evidence provided:

- Refer to www.fitlink.edu.au
- Course Calendar Australia
- Silver Academy Student Handbook
- The evidence demonstrates information on the organisation's website is accurate.



STANDARD 5	Each learner is properly informed and protected. To be compliant with Standard 5 the RTO must meet the following:
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Clause 5.1
Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides advice to the prospective learner about the training product appropriate to meeting the learner's needs, taking into account the individual's existing skills and competencies.

Original finding: Compliant	Following rectification: n/a
Evidence guidance	Y N
Information is provided to prospective learners, prior to enrolment or commencement of training or assessment whichever comes first, about the training product appropriate to meeting the learner's needs, taking into account the individual's existing skills and competencies	<input checked="" type="checkbox"/> <input type="checkbox"/>

Clause 5.2
Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content:

- a) the code, title and currency of the training product to which the learner is to be enrolled, as published on the National Register;
- b) the training and assessment, and related educational and support services the RTO will provide to the learner including the:
 - i) estimated duration;
 - ii) expected locations at which it will be provided;
 - iii) expected modes of delivery;
 - iv) name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on the RTO's behalf; and
 - v) any work placement arrangements.
- c) the RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.
- d) the learner's rights, including:
 - i) details of the RTO's complaints and appeals process required by [Standard 6](#); and
 - ii) if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in;
- e) the learner's obligations:
 - i) in relation to the repayment of any debt to be incurred under the VET FEE-HELP scheme arising from the provision of services;
 - ii) any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product; and
 - iii) any materials and equipment that the learner must provide; and
- f) information on the implications for the learner of government training entitlements and subsidy arrangements in relation to the delivery of the services.

Original finding: Not compliant	Following rectification: Compliant
Evidence guidance	Y N N/A
Prior to enrolment or commencement, written information is provided on the following:	



• code and title of the training product as per www.training.gov.au	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• currency of the training product	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• estimated duration of training and/or assessment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• location/s where training and/or assessment will be provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• mode/s of delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• name and contact details of any third party providing services	<input type="checkbox"/>	<input type="checkbox"/>
• work placement arrangements	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• confirmation that the RTO is responsible for compliance of training and/or assessment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• confirmation that the RTO is responsible for issuance of AQF certification documentation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• details of the RTO complaints and appeals processes (also refer Clauses 6.1 – 6.4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• the learner's rights if the RTO or a third party closes or ceases to deliver the agreed training and/or assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• the learner's obligation to repay any VET FEE-HELP debt	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• any entry requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• any materials and equipment the learner must provide	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• any implications on the learner's entitlement to access government funding by undertaking the training and/or assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for finding of non-compliance:

- No evidence was provided to demonstrate that prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides to the learner, information concerning the learner's rights if the RTO closes or ceases to deliver any part of the training product that the learners is enrolled in.

In order to become compliant, the organisation is required to:

- Provide evidence that demonstrates that prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides to the learner, information concerning the learner's rights if the RTO closes or ceases to deliver any part of the training product that the learners is enrolled in.

Analysis of rectification evidence:

Evidence provided:

- Silver Academy Student Handbook
- Refund Extract from Student Handbook
- Silver Acedemy Enrolment Form Template
- The evidence demonstrates that prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides to the learner, information concerning the learner's rights if the RTO closes or ceases to deliver any part of the training product that the learners is enrolled in.



Clause 5.3

Where the RTO collects fees from the individual learner, either directly or through a third party, the RTO provides or directs the learner to information prior to enrolment or the commencement of training and assessment, whichever comes first, specifying:

- a) all relevant fee information including:
 - i) fees that must be paid to the RTO; and
 - ii) payment terms and conditions including deposits and refunds;
- b) the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies;
- c) the learner's right to obtain a refund for services not provided by the RTO in the event the:
 - i) arrangement is terminated early; or
 - ii) the RTO fails to provide the agreed services.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance	Y	N	N/A
Fees are collected from individual learners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If no, clause is not audited. If yes:			
Written information is provided on the following, prior to enrolment or commencement:			
• all fees that must be paid	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• payment terms and conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• refund terms and conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• the learner's statutory right to a cooling-off period	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for finding of non-compliance:

- The evidence provided did not demonstrate the RTO provides or directs the learner to information prior to enrolment or the commencement of training and assessment, whichever comes first, specifying:
 - the learner's right to obtain a refund for services not provided by the RTO in the event the:
 - arrangement is terminated early; or
 - the RTO fails to provide the agreed services.

In order to become compliant, the organisation is required to:

- Provide evidence that demonstrates the RTO provides or directs the learner to information prior to enrolment or the commencement of training and assessment, whichever comes first, specifying:
 - the learner's right to obtain a refund for services not provided by the RTO in the event the:
 - arrangement is terminated early; or
 - the RTO fails to provide the agreed services.

Analysis of rectification evidence:

Evidence provided:

- Silver Academy Student Handbook
- Refund Extract from Student Handbook
- Silver Academy Enrolment Form Template
- The evidence demonstrates the RTO provides or directs the learner to information prior to enrolment or the commencement of training and assessment, whichever comes first, specifying:
 - the learner's right to obtain a refund for services not provided by the RTO in the event the:

- arrangement is terminated early; or
- the RTO fails to provide the agreed services.

Clause 5.4

Where there are any changes to agreed services, the RTO advises the learner as soon as practicable, including in relation to any new third party arrangements or a change in ownership or changes to existing third party arrangements.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N	N/A
Learners are advised of any changes to agreed services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STANDARD 6

Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

Subject to [Clause 6.6](#), to be compliant with Standard 6 an RTO must meet the following:

Clause 6.1

The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a) the RTO, its trainers, assessors or other staff;
 - b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff;
- or
- c) a learner of the RTO.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N	N/A
The RTO is an employer or volunteer organisation and:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> • learners consist only of employees or members, and • learners do not pay any fees, and • an organisational complaints and appeals policy is in place broad enough to cover all training and/or assessment services provided. 			
If yes to the above, Clauses 6.1 – 6.4 are not audited, go to Clause 6.5 . If no:			
A complaints policy (may be combined with appeals) has been developed to respond to complaints about:			
• the RTO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• RTO staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• learners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• third parties	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Clause 6.2

The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
An appeals policy has been developed covering decisions made for or on behalf of the RTO (may be combined with complaints):	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Clause 6.3

The RTO's complaints policy and appeals policy:

- a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- b) are publicly available;
- c) set out the procedure for making a complaint or requesting an appeal;
- d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and
- e) provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
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The complaints and appeals policy/ies:

• adopt the principles of natural justice and procedural fairness by:		
o informing those involved of the allegations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o providing those involved an opportunity to present their side of the matter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o operating in a fair and unbiased way	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• are publicly available	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• include a procedure for submitting a complaint or appeal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• ensure complaints and appeals are acknowledged in writing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• ensure complaints and appeals are finalised as soon as practicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• provide for review of complaints and appeals by an independent party	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause 6.4

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
- b) regularly updates the complainant or appellant on the progress of the matter.

Original finding: Not audited

Following rectification: n/a

Evidence guidance	Y	N	N/A
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Where more than 60 calendar days have been required to process a complaint or appeal: ☐ Y ☐ N ☒ N/A

• the complainant or appellant is advised in writing of the reasons	<input type="checkbox"/>	<input type="checkbox"/>
• the complainant or appellant is regularly updated in writing	<input type="checkbox"/>	<input type="checkbox"/>

Clause 6.5

The RTO:

- a) securely maintains records of all complaints and appeals and their outcomes; and
- b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

Original finding: Compliant

Following rectification: n/a



Evidence guidance	Y	N	N/A
Secure records are maintained of all complaints and appeals and their outcomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential cause of complaints and appeals are identified and corrective action taken	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Clause 6.6

Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training and/or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

Original finding: Not audited

Following rectification: n/a

Evidence guidance	Y	N
An organisational complaints and appeals policy is in place broad enough to cover all training and/or assessment services provided.	<input type="checkbox"/>	<input type="checkbox"/>

STANDARD 7 The RTO has effective governance and administration arrangements in place. To be compliant with Standard 7 the RTO must meet the following:

Clause 7.1

The RTO ensures that its executive officers or high managerial agent:

- a) are vested with sufficient authority to ensure the RTO complies with the RTO Standards at all times; and
- b) meet each of the relevant criteria specified in the Fit and Proper Person Requirements in Schedule 3.

Not audited

Clause 7.2

The RTO satisfies the *Financial Viability Risk Assessment Requirements*.

Not audited

Clause 7.3

Where the RTO requires, either directly or through a third party, a prospective or current learner to prepay fees in excess of a total of \$1500 (being the threshold prepaid fee amount), the RTO must meet the requirements set out in the Requirements for Fee Protection in Schedule 6.

Original finding: Not audited

Following rectification: n/a

Evidence guidance	Y	N	N/A
Where an RTO collects fees in advance in excess of \$1500 from individual learners:			
Government entities and universities			<input type="checkbox"/>
The RTO implements a policy addressing learner fee protection arrangements. This policy details how, if the RTO is unable to provide services for which the learner has prepaid, the learner will either :	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> • be placed into an equivalent course such that: <ul style="list-style-type: none"> • the new location is suitable to the learner • the learner receives the full services for which they have prepaid at 	<input type="checkbox"/>	<input type="checkbox"/>	



no additional cost to the learner; **or**

- be refunded for all fees paid in advance over \$1500 for services yet to be delivered ☐ ☐

Other RTOs ☐

All learners are protected by one or more of the following:

- the RTO holds an unconditional financial guarantee from a bank operating in Australia where:
 - the guarantee is for an amount no less than the total amount of prepaid fees held by the RTO in excess of \$1500 for each learner for services yet to be delivered; and
 - all establishment and ongoing maintenance costs for the bank guarantee are met by the RTO☐ ☐
- the RTO holds current membership of a Tuition Assurance Scheme approved by ASQA ☐ ☐
- any other fee protection measure approved by ASQA ☐ ☐

Clause 7.4

The RTO holds public liability insurance that covers the scope of its operations throughout its registration period.

Original finding: Not compliant

Following rectification: Compliant

Evidence guidance

Y N

Public liability insurance is in place that:

- provides coverage for the RTO ☐ ☒
- covers training and assessment activities ☐ ☒

Reasons for finding of non-compliance:

- The organisation did not provide evidence to demonstrate it holds public liability insurance that covers the scope of its operations.

In order to become compliant, the organisation is required to:

- Provide evidence that demonstrates it holds public liability insurance that covers the scope of its operations.

Analysis of rectification evidence:

Evidence provided:

- Public Liability insurance Certificate of Currency
- Silver Academy QBE Insurance Proposal
- The evidence demonstrates the organisation holds public liability insurance that covers the scope of its operations.

Clause 7.5

The RTO provides accurate and current information as required by the *Data Provision Requirements* as updated from time to time.

Not audited



STANDARD 8	The RTO cooperates with the VET Regulator and is legally compliant at all times. To be compliant with Standard 8 the RTO must meet the following:
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Clause 8.1

The RTO cooperates with the VET Regulator:

- a) by providing accurate and truthful responses to information requests from the VET Regulator relevant to the RTO's registration;
- b) in the conduct of audits and the monitoring of its operations;
- c) by providing quality/performance indicator data;
- d) by providing information about substantial changes to its operations or any event that would significantly affect the RTO's ability to comply with these standards within 90 calendar days of the change occurring;
- e) by providing information about significant changes to its ownership within 90 calendar days of the change occurring; and
- f) in the retention, archiving, retrieval and transfer of records.

Original finding: Compliant

Following rectification: n/a

Evidence guidance	Y	N
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The RTO co-operates with ASQA:

- | | | |
|---|-------------------------------------|--------------------------|
| • by providing accurate and truthful responses to information requests relevant to the RTO's registration | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • in the conduct of audits and the monitoring of its operations | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • by providing quality/performance indicator data | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • by providing information about substantial changes to its operations or significant changes to its ownership or any event that would significantly affect the RTO's ability to comply with these standards within 90 days of the change occurring | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • in the retention, archiving, retrieval and transfer of records | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Reference: [ASQA General Direction – Retention requirements for completed student assessment items](#)

Clause 8.2

The RTO ensures that any third party delivering services on its behalf is required under written agreement to cooperate with the VET Regulator:

- a) by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services; and
- b) in the conduct of audits and the monitoring of its operations.

Original finding: Not audited

Following rectification: n/a

Evidence guidance	Y	N
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Third party arrangements are in place for delivery of services (also refer [Clause 2.3](#)) ☐ ☒

If no, clause is not audited. If yes:

Written agreements include a clause requiring that third parties co-operate with ASQA in:

- | | | |
|---|--------------------------|--------------------------|
| • providing accurate and factual responses to information requests from ASQA relevant to the delivery of services | <input type="checkbox"/> | <input type="checkbox"/> |
| • in the conduct of audits and the monitoring of its operations | <input type="checkbox"/> | <input type="checkbox"/> |

**Clause 8.3**

The RTO notifies the Regulator:

- a) of any written agreement entered into under Clause 2.3 for the delivery of services on its behalf within 30 calendar days of that agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first; and
- b) within 30 calendar days of the agreement coming to an end.

Not audited

Clause 8.4

The RTO provides an annual declaration on compliance with these Standards to the VET Regulator and in particular whether it:

- a) currently meets the requirements of the Standards across all its scope of registration and has met the requirements of the Standards for all AQF certification documentation it has issued in the previous 12 months; and
- b) has training and assessment strategies and practices in place that ensure that all current and prospective learners will be trained and assessed in accordance with the requirements of the Standards.

Not audited

Clause 8.5

The RTO complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.

Not audited

Clause 8.6

The RTO ensures its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.

Original finding: Compliant

Following rectification: n/a

Evidence guidance

Y

N

Staff and clients are informed of changes to legislative and regulatory requirements that affect the services delivered ☒ ☐