

67. AOT Legislation Compliance Policy

Policy Name:		AOT Legislation Compliance Policy	
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Authorising Officer:		Chief Executive Officer	
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Formal Review Date:		17/08/2019	
Related Legislation & Guidelines		Standards for Registered Training Organisations (RTOs) 2015	
Scope	Course Type	ALL	
Version Updates	Version 1	Policy implemented	16/05/2016
	Version 2	Minor updates to wording	17/08/2018
Glossary:			
Scope of registration		<p>The training products for which an RTO is registered to issue AQF certification documentation. It allows the RTO to:</p> <ul style="list-style-type: none"> a) both provide training delivery and assessment resulting in the issuance of AQF certification documentation by the RTO; or b) provide assessment resulting in the issuance of AQF certification documentation by the RTO. 	
<p>Communication:</p> <p>AOT's policies, procedures and guidelines are saved in PolicyDoc (cloud based document management system) which is accessible by all relevant staff. Updates are communicated to staff through our knowledge management system. Updates are communicated to students via announcements in our Learning Management System.</p>			

1. Purpose / Background

AOT is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, AOT is required to ensure it complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations, integrate these into policies and procedures, maintain compliance and inform staff and clients of changes to legislation that affect the services delivered.

2. Policy Statement

AOT is committed to ensuring it complies with all relevant Commonwealth, State and Territory legislation and regulatory requirements in its operations as a Registered Training Organisation (RTO).

AOT will ensure that:

- a) compliance with legislation and regulatory requirements is monitored and maintained;
- b) it maintains copies of or access to all legislation that affects its business and /or is services delivered;
- c) legislation and regulatory requirements relevant to its operations are integrated into its policies and procedures;
- d) all staff and clients are provided with information regarding changes in legislation and regulatory requirements that affects their duties or participation in vocational education and training services provided.

3. Policy Principles

3.1 Underpinning Principles

- a) There are numerous Acts that impact upon the training and assessment for courses offered by AOT.
- b) AOT advises its staff and clients of legislation that affects their duties or learning.
- c) AOT will purchase a copy of, or have electronic access to, all Commonwealth, State and Territory legislation that affects its operations or services delivered.
- d) AOT has and maintains memberships to the following legislation publishers so as to receive updates and notifications of changes in legislation and regulatory requirements:

- i. Australian Government - <http://www.comlaw.gov.au/>
 - ii. Australasian Legal Information Institute - <http://www.austlii.edu.au>
 - iii. New South Wales – <http://www.legislation.nsw.gov.au/>
 - iv. Victoria – <http://www.legislation.vic.gov.au/>
 - v. Queensland – <https://www.legislation.qld.gov.au/OQPChome.htm>
 - vi. Western Australia - www.slp.wa.gov.au
 - vii. South Australia – <http://www.legislation.sa.gov.au/index.aspx>
 - viii. Northern Territory – http://dcm.nt.gov.au/strong_service_delivery/supporting_government/current_northern_territory_legislation_database
 - ix. ACT – <http://www.legislation.act.gov.au/>
 - x. Tasmania - <http://www.thelaw.tas.gov.au/index.w3p>
- e) AOT has access to solicitors who provide advice on legislation.

3.2 Vocational Education and Training (VET) Legislation

Legislation relevant to AOT includes:

- a) Commonwealth - National Vocational Education and Training Regulator Act 2011
- b) New South Wales - Vocational Education and Training (Commonwealth Powers) Act 2010
- c) Victoria – Vocational Education and Training Act 1990
- d) Queensland – Vocational Education and Training (Commonwealth Powers) Act 2012
- e) Western Australia – Vocational Education and Training Act 1996
- f) South Australia – Vocational Education and Training (Commonwealth Powers) Act 2012
- g) Northern Territory –
- h) ACT – Training and Tertiary Education Act 2003
- i) Tasmania - Vocational Education and Training (Commonwealth Powers) Act 2011
<http://www.thelaw.tas.gov.au/index.w3p>

3.3 Anti-Discrimination Legislation

There is a range of legislation and policies which promote access and equity within the national Vocational Education and Training system. (See Access and Equity Policy)

3.4 Workplace Health and Safety (WHS) Legislation

There is a range of legislation and policies which promote workplace health and safety within the national Vocational Education and Training system. (See Workplace Health and Safety Policy)

3.5 Privacy Legislation

Federal legislation impacts on the national Vocational Education and Training system.
(See Privacy Policy)

3.6 Other Legislation

- a) There are a range of legislation and policies, including consumer protection, which impact on the operational business of AOT. These include:
- i. Corporation law – Corporations Act 2001 and Regulations
 - ii. Competition and Consumer Act 2010 and Regulations
 - iii. Fair Work Act 2009 and Regulations
 - iv. A New Tax System Act 1999 and Regulations
 - v. Copyright Act 1968 and Regulations
 - vi. Fair Trading Legislation and Regulations
 - vii. Trade Practices Legislation and Regulations
 - viii. Spam Act 2003 and Regulations
- b) The following represents legislation that impacts on vocational outcomes of training and assessment services delivered.
- i. Standards for Registered Training Organisations (RTOs) 2015
 - ii. Data Provisions Requirements 2012
 - iii. Financial Viability Risk Assessment Requirements 2011
 - iv. Student Identifiers Act 2014

4. AOT Responsibilities

AOT is responsible for ensuring compliance with this policy.

5. Records Management

All documentation in relation to compliance with legislation processes are maintained in accordance with Records Management Policy. (See Records Management Policy)

6. Monitoring and Improvement

All practices relating to compliance with legislation are monitored by the Director AOT and areas for improvement identified and acted upon. (See Continuous Improvement Policy)

7. Related Forms and Documents

AOT's Document Register outlines all the forms and documents that relate to this policy. The Document Register is saved within PolicyDoc and is accessible by all relevant staff.

8. Quality and Continuous Improvement

All policies, procedures and processes are reviewed on an annual basis. This policy will be formally reviewed on the date set out in the version control table at the beginning of this document.

AOT reserves the right to review and update policies, procedures and processes at any time outside of the formal review cycle, as required by:

- a) changes in regulatory, statutory, or contractual obligations,
- b) results of internal quality assurance processes,
- c) feedback received from staff.

Any recommendations to improve this document must be submitted to ceo@aot.edu.au.