

1.03.832 LEGISLATIVE REQUIREMENT

This policy is applicable to: All IRT Academy Students, IRT Academy employees and Third Parties acting on behalf of IRT Academy.

DISCLAIMER

The information contained in this document remains the intellectual property of IRT. Any unauthorised copying or use (including emailing) is prohibited without the express permission of IRT. Any reference contained within this policy to 'IRT Employee/Staff Member' equally applies to IRT Academy Learner/Student or Client in receipt of training &/or assessment services.

DOCUMENT CONTROL

Policy Number: 1.03.832	Policy Owner: General Manager IRT Academy	Version: 3.0
Contact position: General Manager IRT Academy	Approved for circulation: Group Leadership Team	TRIM classification reference: EDOC2015/02261
Date approved: February 2015	Review due to: Legislative change	Next review due: March 2018
Procedure Manual reference: Meeting Legislative Requirements	Compliance/Accreditation/ Standards reference: Standards for Registered Training Organisations 2015 Standard 8. The RTO cooperates with the VET Regulator and is legally compliant at all times.	

REVISION RECORD

Date	Version	Revision description
April 12	1.0	IRT Academy major review of all policies and procedures against Standards for NVR Registered Training Organisations 2011 - Essential Standards for Continuing Registration.
	2.0	Previous Policy to be superseded.
	2.1	Change of name due to findings from external audit August 2012 to better reflect intent of policy to comply with regulatory body interaction requirements.
	2.2	Reference Chief Financial Officer in line with IRT Capacity building restructure Feb 2013.
	2.3	Reference to IRT Academy General Manager membership on IRT Risk and Compliance Management Committee.
	2.4	Include IRT Academy staff requirement to proactively maintain knowledge currency of legislative requirements via online news subscriptions.
	2.5	Review of listed legislation as advised by IRT Legal Counsel April 2013
June 14	2.6	No changes required as advised by IRT Legal
Jan 15	3.0	Updated to align to Standards for RTOs 2015

1. TITLE

1.03.832 Legislative Requirement

2. POLICY STATEMENT

IRT Academy is subject to legislation related to training and assessment as well as general business practice. This legislation governs our obligations as a Registered Training Organisation (RTO), our obligations to students, and relates to the industry in which we conduct training. This legislation is continually being updated and all IRT Academy representatives are required to implement strategies to maintain current levels of knowledge.

3. PURPOSE

To meet the requirements of the National Vocational Education and Training Regulator Act 2011

4. SCOPE

The scope of this policy covers all IRT Academy students, employees and/or third parties acting on behalf of IRT Academy.

5. OBJECTIVE

The purpose of this policy is to ensure that IRT Academy operates within the boundaries of relevant legislation.

6. POLICY DETAILS

6.1 Identifying legislative requirements

IRT Academy will apply a risk management approach to meeting legislative requirements and the General Manager will record the assessed risks and treatment measures within the IRT Compliance Plan and at scheduled intervals using the IRT Risk Register as specified by the IRT Risk Department.

This analysis of risks and countermeasure strategies is to be detailed to allow all staff to understand the IRT Academy strategy to meeting specific legislative responsibilities.

The General Manager is responsible for ensuring appropriate information regarding the risk analysis and countermeasure strategies is communicated to all RTO employees as a standing agenda item on the RTO Management Meeting which is conducted monthly.

6.2 Informing employees of their responsibilities

IRT Academy acknowledges that it has a responsibility to inform and educate employees about the legislative requirements that apply to its day to day operations. By taking a coordinated approach to inform employees of these requirements, we will build a culture of acceptance and positive compliance.

It is the responsibility of IRT Academy employees to ensure that they are fully informed of applicable legislative requirements. Subscriptions to relevant VET services may include but is not limited to; ASQA, Austlii news, Board of Studies, Training Matters, TP@Work, VELG online newsletters are primary sources of legislative information updates.

6.3 Annual Professional Development

IRT Academy employees are encouraged to take an active role in the interpreting and application of legislative requirements within IRT Academy operations.

All employees are also required to participate in an annual training session which will include (amongst other content) IRT Academy's legislative requirements. This training will serve to update IRT Academy personnel on changes to legislative requirements and remind all staff about the role they play in complying with legislation in the context of IRT Academy operations.

7. ROLES AND RESPONSIBILITIES

All employees are required to comply with this Policy. There are no specific roles or responsibilities other than those outlined in the table below.

Specific roles and responsibilities of employees and management are outlined in Section 6 of this policy.

Specific roles and responsibilities of areas/departments/functions are outlined in the table below.

Role	Responsibility
Policy Owner - General Manager IRT Academy	Ensuring the currency and appropriateness of the policy to meet regulatory and legislative requirements.
Policy Monitor - Operations Coordinator	Ensure day to day implementation and compliance with policy.
Policy Subject Matter Expert - IRT Legal Team representative	Provide expert advice regarding appropriateness of policy and compliance issues.
Policy Implementation - All other IRT Academy employees	Implement procedure as per IRT Academy Procedure Manual

8. EDUCATION AND STAFF DEVELOPMENT

This is a Standard Policy.

Education and Staff development relevant to this policy will occur via:

- Via IRT Academy On-Boarding procedure
- Via IRT Academy quarterly meetings
- This is a standard policy – specific education is not required, employees are expected to be familiar with this policy.

9. MONITORING, EVALUATION AND REVIEW

Feedback regarding this policy can be referred to:

- Operations Coordinator
- Administration Coordinator
- General Manager

The policy will be reviewed every 3 years by the General Manager IRT Academy. Triggers for review outside of the usual cycle include:

- Changes to the business activity relating to this policy
- New business activities impacting on this policy
- Changes to internal controls relating to this policy
- Changes to legislative and/or regulatory requirements

10. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
RTO	Registered Training Organisation

11. ASSOCIATED PROCEDURES AND FORMS

Name and number of document
IRT Academy Procedure Manual
Student Handbook

12. REFERENCES - COMPLIANCE AND BEST PRACTICE

Legislative references
National Vocational Education and Training Regulator Act 2011 (Cth)
Higher Education Support Act 2003
Aged Care Act 1997 (Cth)
Disability Discrimination Act 1992 (Cth)
Racial Discrimination Act 1975 (Cth)
Privacy Act 1988 (Cth)
Copyright Act 1968 (Cth)
Trade Marks Act 1995 (Cth)
Competition and Consumer Act 2010 (Cth)
Discrimination Act 1991 (ACT)
Workplace Health and Safety Act 2011 (ACT)
Training and Tertiary Education Act 2003 (ACT)
Apprenticeship and Traineeship Act 2001 (ACT)
Anti-Discrimination Act 1977 (NSW)
Privacy and Personal Information Protection Act 1998 (NSW)
Workplace Health and Safety Act 2011 (NSW)
Apprenticeship and Traineeship Act 2001 (NSW)
Best Practice references
Standards for RTOs 2015 Standard 8

Compliance Plan reference: IRT Academy

13. LINKS TO OTHER POLICIES

1.03.810 Continuous Improvement
1.03.803 Code of Practice
1.03.844 Plagiarism
1.38 Privacy