



Compliance audit charges

Introduction

The Australian Skills Quality Authority (ASQA) is the national regulator for the Australian vocational education and training (VET) sector.

ASQA's functions include undertaking compliance audits of registered training organisations (RTOs).

This fact sheet explains the charges related to compliance audits.

What is the basis of these charges?

The *National Vocational Education and Training Regulator (Charges) Act 2012*, which commenced on 1 January 2013, requires ASQA to recover the costs and expenses it incurs in conducting compliance audits.

Who approves the conduct of a compliance audit?

An ASQA Commissioner or nominated delegate must approve each compliance audit prior to the audit commencing.

How is the amount of the charge determined?

The charge is currently set by the *National Vocational Education and Training Regulator (Charges) Determination 2013 (No. 1)*.

That Determination prescribes the charge to be \$250 per auditor per hour (minimum four hours) plus ASQA official travel costs. Additional charges may apply to compliance audits conducted outside Australia.

The charge applies to time spent by ASQA:

- conducting the site visit
- auditor travel, and
- preparing the audit report

If non-compliances are identified, ASQA may issue a notice of intention to impose a sanction. A charge is payable for the time ASQA spends analysing any written response or additional evidence you submit in response to this notice.

A charge does not apply for the time the ASQA decision maker spends considering the audit report.

When will my RTO be invoiced?

ASQA will invoice you when the audit is finalised.

An audit is 'finalised' after ASQA makes a decision about compliance with the relevant standards. ASQA will notify you of the decision in writing.

If non-compliances are identified, ASQA may issue a notice of intention to impose a sanction. If your organisation submits a written response to this notice, ASQA will analyse the response and then issue a further invoice.

What can I do if I disagree with the amount of a charge?

If you want to dispute the amount of a charge, you may submit a complaint to ASQA.

Your complaint will be dealt with through ASQA's internal complaints process. It is important to note that the hourly rate for the compliance audit is fixed by the Determination and, as such, is not able to be varied by ASQA.

Any challenge to the hours claimed by ASQA in conducting the compliance audit must be supported by evidence that the claim is incorrect.

More information on making a complaint about ASQA is available at:

<http://www.asqa.gov.au/complaints/complaints-about-asqa.html>

Alternatively, you can contact the Commonwealth Ombudsman for assistance in resolving the complaint: <http://www.ombudsman.gov.au>

There may also be provision for you to apply under the Administrative Decisions (Judicial Review) Act 1977 to the Federal Court of Australia or the Federal Circuit Court of Australia for judicial review of a decision that ASQA has made. The Administrative Decisions (Judicial Review) Act 1977 can be accessed on the Federal Register of Legislation website at: <https://www.legislation.gov.au>

More information

For more information, contact the ASQA Info line on 1300 701 801 or enquiries@asqa.gov.au.