



# Regulation Report

1 July 2023 to 31 March 2024

## Purpose of this report

This Regulation Report presents a year-to-date summary of ASQA's regulation activities from 1 July 2023 to 31 March 2024.

The report presents information about our work as the national regulator of Australia's Vocational Education and Training (VET) sector.

Our role is to ensure quality VET so that students, industry, governments, and the community can have confidence in the integrity of national qualifications issued by training providers.

We apply best practice regulation which:

- adopts a whole-of-system perspective to build sector performance, capability and culture
- focuses on areas where the risk is greatest, using data and intelligence to guide our activity, and
- implements a collaborative approach to engagement and communication with all stakeholders.

We will continue to report quarterly on our activity and share additional information and insights about quality in the VET sector as our regulatory activities, data and analytics evolve.

## Our stakeholders

We have a large and diverse range of stakeholders that includes government, VET providers, students, industry bodies and a variety of other regulators and law enforcement. By maintaining networks across this stakeholder base, we ensure we can quickly identify and respond to changes in the sector.

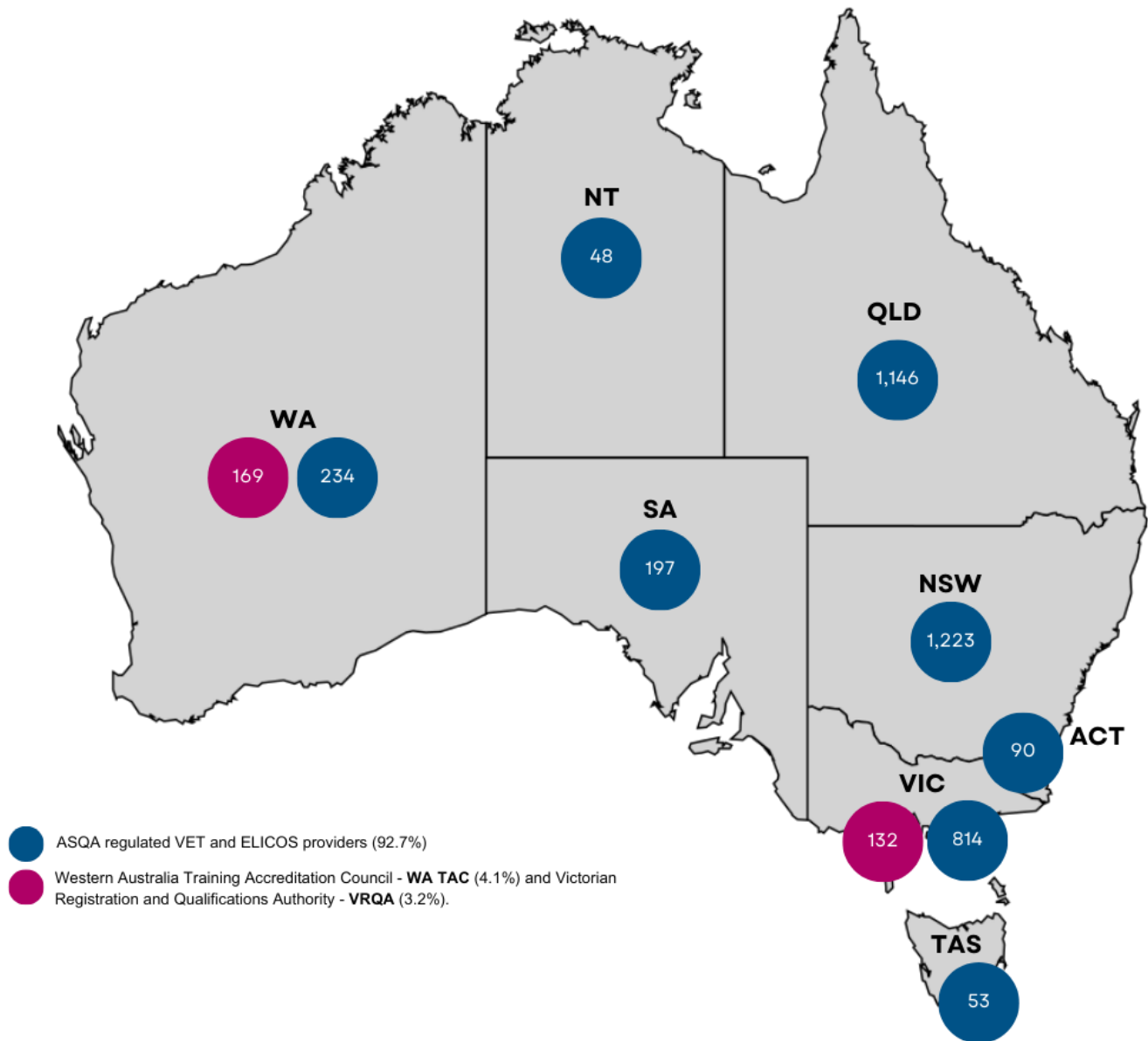
Our regulatory approach is underpinned by our [Regulatory Operating Model](#) and [Regulatory Risk Framework](#).

This applies across our regulation of:

- providers that deliver VET qualifications and courses (i.e. Registered Training Organisations [RTOs])
- providers that deliver VET courses to overseas students
- accredited VET courses and
- certain providers that deliver English Language Intensive Courses to Overseas Students (ELICOS).

## VET sector at a glance

As at 31 March 2024 we regulate 3,805 (92.7%) of the registered training organisations (RTOs), which comprise the national VET provider market.



Of the 3,805 RTOs we regulate:

- 2,905 are approved to deliver VET to domestic students
- 643 are also registered to deliver VET to overseas students
- 257 are also registered to deliver VET and English language courses to overseas students.

In addition, we regulate a further 79 providers that are registered to deliver English language courses only to overseas students.

## Registering providers

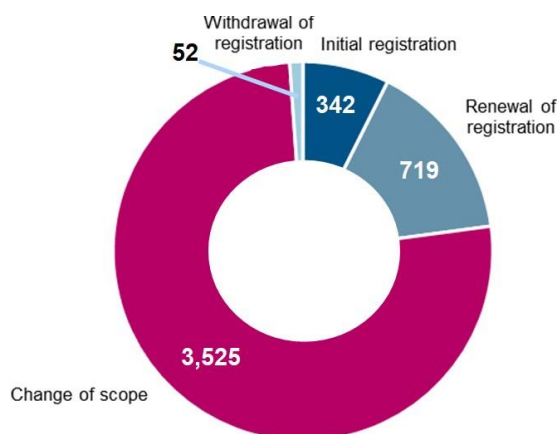
We assess applications for registration against criteria under our legislation to ensure students, employers, governments and the community have confidence in the providers we register. Providers must apply to renew their registration before their registration period expires. When a re-registration application is received, we ensure that the provider remains committed and capable of delivering quality training and/or assessment.

Providers may also apply to add or remove training products from their scope of registration. When an application to change scope is made, we consider matters set out in the legislation in deciding whether to grant a change of scope.

Providers may also exit the market in several ways - by applying to us to have their registration withdrawn, by letting their registration period expire, or by us cancelling their registration if we consider they have not met their regulatory obligations.

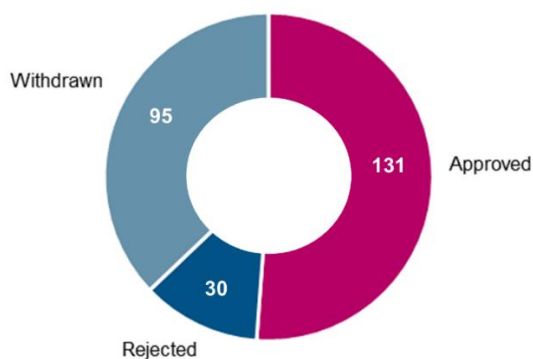
Below outlines our registration activities and outcomes between 1 July 2023 and 31 March 2024<sup>1</sup>:

### Applications received

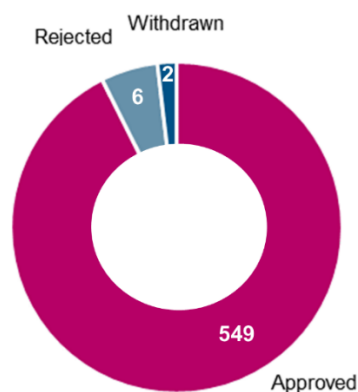


### Application outcomes

#### Initial registration

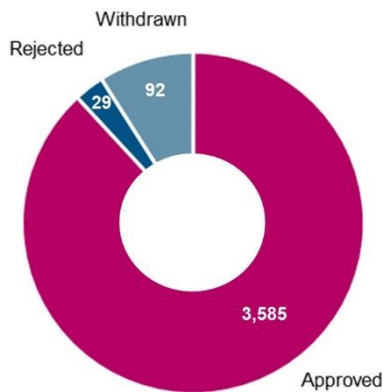


#### Renewal of registration

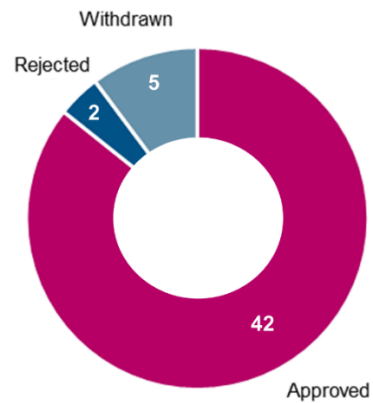


<sup>1</sup> The number of applications determined includes applications that were received (but not finalised) in the previous financial year.

## Change of scope



## Withdrawal of registration

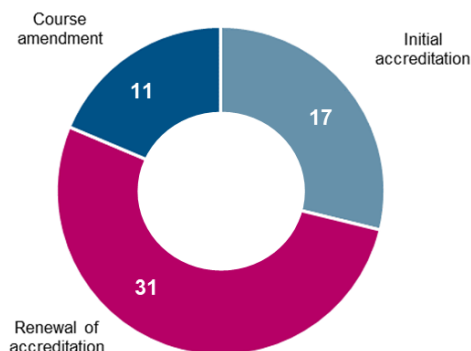


Of the 131 initial registration applications approved, the number of new providers that entered the sector over the period include 59 RTOs approved to deliver to domestic students, 26 RTOs approved to deliver to domestic and overseas students, 2 providers approved to deliver English language training only and 18 existing RTOs were approved to deliver to overseas students.

## Accrediting courses

We accredit courses that may be provided by RTOs, to meet industry, enterprise, educational, legislative or community needs, where these needs are not met by nationally endorsed training packages. These courses are then listed on the National Register. A course may be accredited for up to 5 years. During this time, nationally endorsed training packages may have developed new units of competency, skill sets or qualifications since the course was accredited which is a consideration when a course owner is seeking to renew accreditation. Below outlines our course accreditation activities and outcomes for the period<sup>2</sup>:

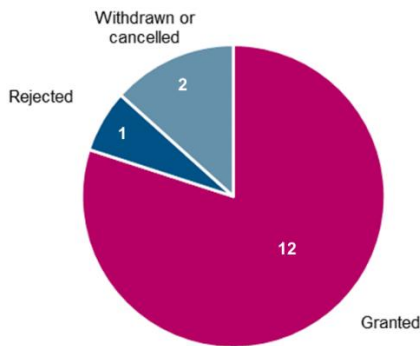
## Applications received



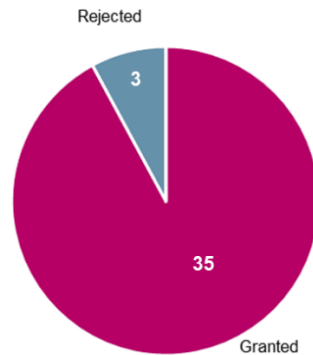
<sup>2</sup> The number of applications determined includes applications that were received (but not finalised) in the previous financial year.

## Application outcomes

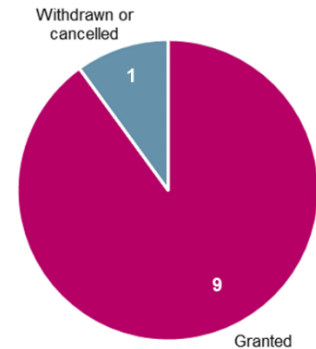
### Initial accreditation



### Renewal of accreditation



### Course amendment



## Education and Engagement

Students, industry, the community, and governments expect training organisations providing nationally recognised training to comply with their obligations and to have mechanisms in place to ensure that they are meeting and continuously improving outcomes at all times. ASQA uses broad based education and engagement to communicate our expectations, share information about risks and support providers to understand their performance and continuously improve as a core part of their business practice.

We promote sector-wide learning by using the outcomes of compliance monitoring activities to communicate with providers about risks and areas of non-compliance.

Between 1 January 2024 and 31 March 2024, ASQA has:

- developed and published the [2024 RTO and ESOS Obligations checklist](#)
- created a new webpage about [Construction Induction \(White\) cards](#) within the student records section of the website
- updated [FAQs](#) about how providers can view their Compliance History
- published 3 editions of ASQA IQ (with 53 articles altogether) and 3 news articles to inform the sector about the publication of the ASQA IQ editions
- published 27 posts on LinkedIn (with 7.24% post engagement rate) and 27 tweets on X (with 12.96% post engagement rate).

Through the Service Delivery functions - information line and email enquiries - ASQA responds to requests and provide information on regulatory requirements. Details of our engagement between 1 July 2023 and 31 March 2024 are outlined below:

## Enquiries received

21,602

**Calls**

9,723

**Emails**

3,577

**Student record enquiries**

### Top enquiries from students

- Student records
- Complaints
- Requests for information

### Top enquiries from providers

- Applications
- asqanet
- VET Standards for RTOs 2015

## Monitoring quality

### Complaints and intelligence about providers

We receive complaints and intelligence from members of the public about provider practices, including students and staff of providers, through several channels. While ASQA is not a complaint-handling body, in every case, we engage with all complainants (where available). Providers that are the subject of a complaint receive a notification from ASQA advising of the complaint and we may request additional information or assurance, as well as escalate regulatory activity where appropriate. Details of complaints for the period are set out below:

**COMPLAINTS  
RECEIVED**

354

### Top concerns

- Training, assessment or study support
- Marketing, student recruitment or enrolment processes
- The provider's general business operations

## VET Tip-Off line

As part of the Australian Government's investment in ASQA and its role in strengthening integrity in the VET sector, we established a VET tip-off line in October 2023 and Integrity Unit in January 2024 to prevent and disrupt illegal behaviour and the exploitation of vulnerable students.

The VET tip-off line provides a safe and confidential avenue for current and former students, staff and other potential whistleblowers to report, anonymously if they wish, alleged deceptive practices, unethical behaviours or illegal and serious non-compliance activities. Details of tip-offs since its establishment on 4 October 2023 until 31 March 2024 are outlined below:



## Performance assessment and monitoring of RTOs

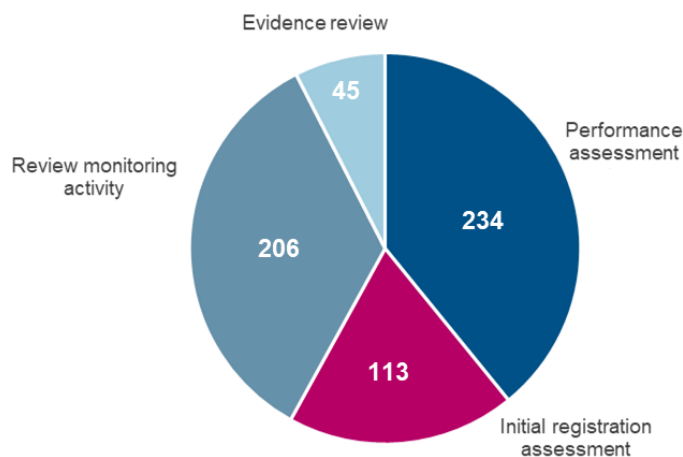
We undertake a range of performance assessment and compliance monitoring activities, depending on the nature of risk and the provider's capability and commitment to deliver quality VET and any other relevant circumstances.

These activities include:

- undertaking surveys (of students and/or other stakeholders)
- interviewing providers, students, trainers/assessors and/or other provider personnel
- requesting data and documents from providers and/or other government entities
- undertaking defined scope or full performance assessments.

Details of our assessment and monitoring activities for the period are set out below.

## Completed assessment and monitoring activities



When a performance assessment is undertaken, varying degrees of non-compliance may be identified.

Of the 234 performance assessments undertaken, 139 (59%) resulted in a finding of non-compliance. Of these, 82 (59.42%) providers satisfied ASQA they had addressed the issues of concern and returned to compliance.

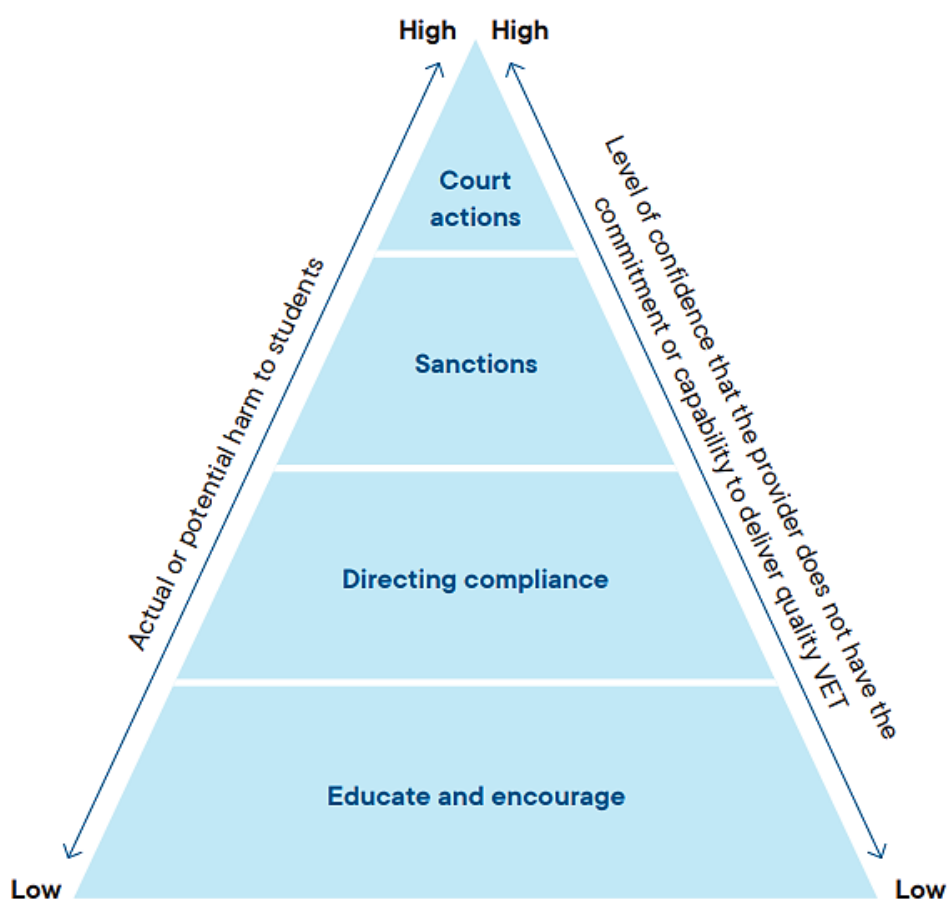
## Investigation

We draw on our investigative capability and functions to undertake surveillance and information collection activities, investigate serious issues of non-compliance and to investigate and prosecute, when appropriate, the conduct of individuals, unregistered entities and registered providers who breach their legislative obligations.

Our investigations also support collaboration across government, including through a coordinated effort with law enforcement agencies and other regulators, to disrupt threats related to the integrity and quality of the VET sector.

## Taking compliance action

Where ASQA finds that a provider does not meet the requirements of registration, we respond to non-compliance in a proportionate way. The figure below illustrates ASQA's graduated approach to its use of escalating regulatory tools to promote and ensure compliance:



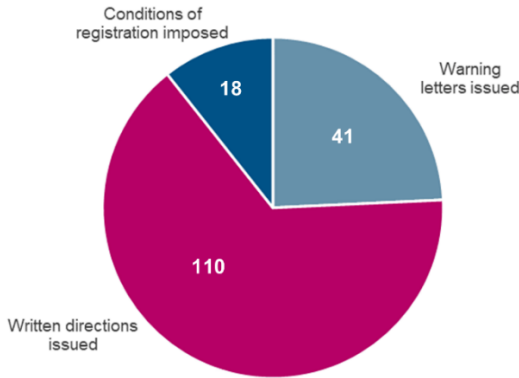
Where a provider demonstrates a commitment and capability to address non-compliance, we may offer an Agreement to Rectify (ATR), which describes the actions the provider proposes to address the non-compliance and the way they will provide evidence of the return to compliance and sets out the timeframes for completion of agreed actions. Between 1 July 2023 and 31 March 2024, 22 providers entered into an ATR within an agreed timeframe. ASQA is currently supporting these providers through the ATR process. 25 ATRs were also finalised in this period, of which 15 returned to compliance.

Where a provider does not demonstrate a commitment or capability to delivering quality training, or make necessary changes in response to identified non-compliance, we compel the provider to take action using an escalating range of regulatory tools to enforce compliance or revoke registration.

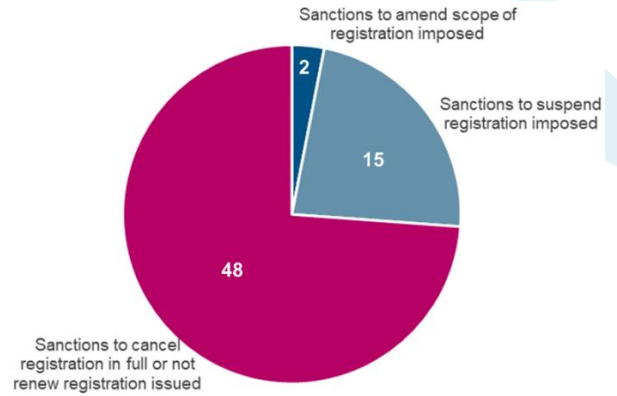


Below outlines our sanction and directing compliance activities for the period:

### Directing compliance



### Sanctions<sup>3</sup>



We also have powers to protect the validity of accredited qualifications and the quality of the VET sector under our legislation and we may prosecute individuals or entities who create Statements of Attainments or advertise as an RTO without a registration.

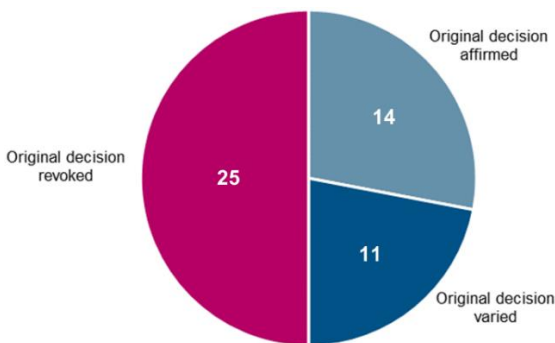
## Procedural fairness and accountability

Before making a decision that adversely affects a provider, we ensure that a provider is afforded procedural fairness, which means providing robust reasons for decisions and giving the provider an opportunity to respond to identified instances of non-compliance. However there may be circumstances where ASQA is satisfied that it is appropriate to impose one or more sanctions on a provider without satisfying natural justice requirements.

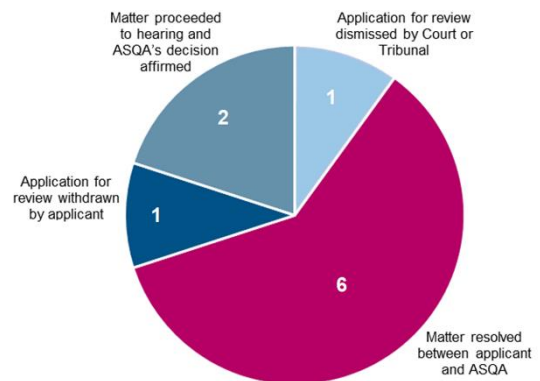
An affected party may request reconsideration (internal review) or external review of certain decisions made by us. We have implemented early resolution of disputed non-compliance, which has supported a focus on the provider’s return to compliance where appropriate. This has reduced the number of matters proceeding to the Administrative Appeals Tribunal (AAT) and allowed us to focus on the most significant matters to address threats to the quality of VET. If a provider is dissatisfied with the outcome of a reviewable decision, they may apply for merits review by the AAT, state tribunal or court.

Below outlines our review activities and outcomes between 1 July 2023 and 31 March 2024:

### Internal review outcomes



### External review outcomes



<sup>3</sup> The number of sanctions imposed relates to a total of 36 providers.

## Our service standards

We revised our service standards last financial year to better reflect our risk-based approach to regulation in consultation with sector representatives and published the revised standards in our Service Charter commencing 1 July 2023.

High volumes, legacy systems and the need for appropriate regulatory scrutiny have resulted in a number of service standards currently not being met. While our performance does not currently meet expectations in some areas, we have recently made improvements to our digital technology and capabilities to support our ability to meet our service standards. We are conscious of the pressures on some providers in relation to our processing of change of scope applications, which have remained at very high levels and have impacted our ability to meet some service standards. We are also taking positive steps to improve our performance in responding to enquiries and assessing applications as soon as practicable to minimise these delays.