



Potential qualification cancellation – Luvium Pty Ltd

FAQs – Former Students, Employers and General **Former students**

If you are impacted or believe you may be impacted by this matter you can call ASQA on 1300 701 801.

What is happening with the Luvium qualifications

ASQA has issued notices of intent to cancel the qualifications issued between 1 January 2023 and 19 October 2024 by Luvium, trading as Australia Education & Career College. This will affect 7,360 former students of Luvium.

The notice of intent to cancel does not automatically result in a cancelled qualification. Former students issued qualifications or statements of attainment during the relevant period will have the opportunity to respond to ASQA's notice of intent to cancel the qualification and provide evidence to establish the legitimacy of their competencies.

More information will be made available on the ASQA website as the situation progresses: www.asqa.gov.au.

Why are qualifications issued by Luvium being cancelled?

ASQA cancelled the registration of Luvium Pty Ltd (Luvium) as a Registered Training Organisation (RTO). Luvium was trading as Australia Education & Career College.

ASQA's decision to cancel Luvium's registration was based on finding that Luvium issued qualifications without appropriate training or competency-based assessment by qualified assessors.

On 19 October 2024, the decision to cancel Luvium's registration as an RTO was published on training.gov.au.

Why are you considering cancelling my qualification/s and/or statement of attainment?

ASQA determined that Luvium did not provide the necessary training or assessment for students to achieve the competencies required for the qualification and/or statement of attainment issued.

As you are a former student, we need to be assured you met the learning outcomes of the competencies required for the course/s.

This is why you have an opportunity to tell ASQA why it should not be cancelled before we make that decision.

Which qualifications are affected?

The qualifications in scope for a potential cancellation include all qualifications issued by Luvium between 1 January 2023 and 19 October 2024. Luvium was a national provider and was registered to deliver training in early childhood, disability and individual support services and first aid.

What does the Notice of Intent to cancel my qualification / statement of attainment mean?

If the decision is made to cancel your qualification/statement of attainment you would no longer be qualified.

The Notice of Intent advises you that ASQA considers your qualification(s) and/or statements of attainment(s) given to you by Luvium should be cancelled for the reasons outlined in the letter.

You have an opportunity to tell ASQA why your qualification(s) should not be cancelled and provide evidence in support.

If you require further information you can contact ASQA on 1300 701 801.

What type of evidence would be considered?

If you have information and/or evidence that you undertook valid training **and** assessment and can demonstrate achieving the learning outcomes or competencies required, you should provide this to ASQA.

Your response and evidence must:

- Demonstrate that Luvium Pty Ltd provided you with appropriate training and/or assessment; **and**
- Responses must be supported by evidence as outlined in the table below:

Relevant evidence	Evidence that, on its own, will not be sufficient in this decision
<ul style="list-style-type: none">• Documents related to your training and assessment with Luvium Pty Ltd. (For example, completed assessment tasks, assessment feedback, marked assignments, or evidence that you completed work placements); and/or	<ul style="list-style-type: none">• Written statements which describe your skills and experience• Proof of employment in industry• Letters of support from employers

<ul style="list-style-type: none"> • Documents and evidence you provided for recognition of prior learning (RPL) with Luvium Pty Ltd. • An outline of the period of your enrolment and what training and assessment and/or work placement occurred during that period. • Any other relevant information since you were issued the qualification. 	<ul style="list-style-type: none"> • Qualifications or statements of attainment from another education provider
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How much time do I have to respond?

You have 7 days to respond to the Notice of Intent from the date of receiving the Notice. The due date is specified in the Notice. ASQA will consider your response before it makes a decision on whether to cancel your qualification.

What if I don't respond?

If we do not hear from you by the due date, your qualification and/or statement of attainment will be cancelled.

What happens if I provide a response after the period specified?

It is important that you respond to the Notice of Intent within the period specified in the Notice. Your notice will specify the due date of your response to ASQA. If you do not respond by the due date, ASQA may cancel your qualification.

How do I provide evidence to ASQA?

The Notice of Intent letter provides you with a link. In this link, you can submit any evidence you may have to respond to ASQA.

The link can also be accessed on ASQA's website.

The online process will allow you to attach information such as PDFs or other materials.

How do I know what the core competencies for my course are? / How do I know what topics to submit evidence on?

Each qualification has individual units under the course. You need to provide a response with evidence against these units.

When Luvium issued your qualification they should have provided you with a record of results that identified the units of competency that were completed as part of your qualification.

If you don't have this, you may find the units of competency for your course at www.usi.gov.au

The National Training Register www.training.gov.au contains information about assessment requirements for each unit of competency, detailing the skills and knowledge to be assessed.

Reviewing this information on the National Training Register can help you understand what evidence you will need to provide to demonstrate your competency.

Note: Your USI will only have your qualification information while it is valid. Should the decision be made to cancel your qualification, your USI record will be updated to remove the qualification(s).

I did not receive the notice of intent in time. Can I still submit evidence?

The notice of intent has/had specific timeframes. ASQA will make a decision after this timeframe has expired.

You will be provided with an opportunity to request a review of the decision if you disagree with it.

When will I find out if ASQA has decided to cancel my qualification/s?

If you **have** submitted evidence, you will be provided with an outcome of decision notice by email. ASQA will seek to make the decision as soon as possible, after the due date.

If my qualification or statement of attainment is cancelled, what happens then?

You must return any certificates of qualification(s) and/or statements of attainment(s) issued by Luvium to ASQA. Further details on how to return your certificates will be provided in the decision letter from ASQA.

It is illegal to continue to use your qualification(s) and/or statements of attainment(s) if it is cancelled. ASQA may need to take further action including issuing you with a fine.

ASQA will notify the Office of the Student Identifiers Registrar. They manage the register that holds each individual's Unique Student Identifier (USI) Record.

Can I appeal the decision if ASQA decides to cancel my qualification?

If you receive a decision to cancel your qualification, this will contain information on the review process.

You have the right to have the decision reviewed if you disagree with the decision.

Do I need to tell my employer and/or recruitment agency?

You may wish to advise your employer/agency that you have received a letter of intent to cancel your qualification from ASQA

It is not mandatory that you advise your employer after receiving this notice, however if ASQA cancels your qualification/statement of attainment, you will be required to notify them.

You may find it helpful to engage with your employer early. They may be able to provide you with support and/or advice.

Can I keep working while the ASQA process is underway?

There are a number of factors that will determine what employers can do while the ASQA process is underway. It is important to note that while the ASQA process may be as short as two weeks, with the possibility of extensions, consideration time and appeals this matter may last a number of months.

In making a decision about what to do while the process is underway employers will need to consider:

- Is the qualification a mandatory requirement of the role for regulatory purposes?
- Is a qualification a mandatory requirement due to the nature of the role?
- What are the terms of the individual's employment?
- What risk would an un-qualified person pose to the health and safety of clients, other staff or the community?

It is important to note that you continue to hold your qualification until any decision by ASQA takes effect, so any interim steps your employer takes will need to ensure that your legal rights are met while managing any potential risk. Possible actions could include:

- Moving you to a role which does not require the qualification
- Increasing the supervision and oversight of your functions
- Suspending you with pay.

In taking action, employers will need to comply with legal requirements and the terms of your employment. You may like to seek legal advice in relation to this matter.

You can contact ASQA to discuss your situation further on 1300 701 801.

I work in a job that requires qualifications - if my qualification is cancelled will I be dismissed?

Employers will need to continue to meet the regulatory requirements for their sector, including any mandatory qualifications or training required for employees. If ASQA decides to cancel your qualification, your employer should ensure that they continue to be compliant with these requirements.

Beyond that, employment decisions are a matter for each individual organisation. Your employer may be able to move you to a role that does not require mandatory qualifications. They may also choose to support you to undertake the required training at another provider.

Am I entitled to a credit transfer?

As your qualification(s) and/or statements of attainment will no longer be valid you will not be able to seek a credit transfer.

Can I get a refund on the costs that I have paid out for my qualification?

There are a number of consumer protections agencies that may be able to assist you.

The Australian Competition and Consumer Commission (ACCC) has advice that may assist you. They have a section called [Problem with a product or service you bought | ACCC](#) on their website.

If you have a VET FEE-HELP or VET Student Loans debt that you believe you should not have, you can contact [VET student loan complaints | Commonwealth Ombudsman](#) for information and advice, or phone 1300 362 072.

If you are an overseas student, then you are able to contact the [International student complaints | Commonwealth Ombudsman](#) for assistance.

What options do I have to get legitimate qualifications?

You can do a course or units with another training organisation. You can search for a training course on [Your Career](#). Your Career is Australia's directory of training.

When choosing a training or education provider, it is important to consider whether the provider and the course will meet your needs and expectations.

Our website has information on [Choosing a course and provider](#). This includes a consumer checklist with important questions to ask a potential provider

There are some options for Fee Free TAFE that you may be eligible for. You can find out more about this at: [Fee-Free TAFE | Your Career](#) (www.yourcareer.gov.au/fee-free-tafe).

We also suggest talking to your employer about your options.

Will any of my previous learning be recognised?

You will not be able to have a credit transfer for any units of competency as identified in the Notice of Intent to cancel issued to you.

You may be able to apply for recognition of prior learning under an alternative provider. The provider will assess your competencies against the requirements of the units or course.

More information is available on ASQA's website <https://www.asqa.gov.au/students/choosing-course-and-provider/credit-transfer-and-recognition-prior-learning-rpl>

If I want to pursue RPL (recognition of prior learning) for the qualification, what can I do?

If you have now gained the relevant experience in industry you could conduct an RPL assessment with another RTO.

RPL may be based on evidence collected through formal, non-formal and informal learning to determine the extent to which a person has achieved the required learning and/or competency outcomes to be awarded a unit of credit; this is often matched with 'gap' training, to meet the full competency requirements of a unit or course.

I am stressed about this situation, what should I do next?

ASQA is working with relevant Commonwealth agencies, Industry Regulators and State and Territory Governments to identify any organisations that may be affected and will provide advice and further information as soon as possible.

We also suggest talking to your employer about your options.

If you are experiencing distress, help is available 24 hours a day, 7 days a week, anywhere in Australia. If you need help now, call:

- [Lifeline](#) – 13 11 14
- [Beyond Blue](#) – 1300 224 636.

Employers

If you are impacted, or believe you may be impacted by this matter, you can contact ASQA on 1300 701 801 to discuss your options further.

How do I know if my employee's qualification has been cancelled?

No qualifications have been cancelled to date. A process is underway, but there are a number of steps that ASQA will need to follow before it will make the final decision and any cancellation will take effect.

ASQA and DEWR are working with relevant Commonwealth agencies, Industry Regulators and State and Territory Governments to identify the potential impact on students, and on any workplaces affected. Those employers that are identified as potentially having affected employees will be progressively contacted and advised of ASQA's process.

Can I terminate the employment of my employee if they were employed on the basis of a cancelled qualification?

This will likely depend on the nature of the employment, whether the qualification is a mandatory requirement of the role and the terms of the person's employment which may be included in an award, enterprise agreement or contract.

Employers may like to seek legal advice on these matters, or speak to their industry peak body.

Am I liable if I continue to employ a person without the qualifications I thought they had?

Employers should seek their own legal advice as it may depend on the nature of the role and if there are any mandatory requirements of the role including any regulatory requirements. Employers should contact the relevant regulator for further advice.

Do I have to give any notice/pay out any entitlements if I terminate the employment of someone employed with a cancelled qualification?

Your obligations to your employee will depend on the relevant terms of employment. Your employee remains qualified until any cancellation decision by ASQA comes into effect. The loss of a qualification may be grounds for dismissal in some cases but is unlikely to affect the requirements around termination such as giving notice and paying out entitlements.

You may like to seek legal advice in relation to this matter, or speak to their industry peak body.

Do I have to pay someone if they were employed under a false or fraudulent qualification?

Your employee remains qualified until any cancellation decision by ASQA comes into effect.

Qualifications may be cancelled through this process, but that does not mean the student who was awarded the qualification engaged in any fraudulent activity.

While they are working for you as an employee they are entitled to their pay and entitlements – you cannot withhold a person’s pay because ASQA has issued a notice of intent to cancel.

Do I have to tell my clients that someone was working without the required qualifications?

Your obligations to disclose this matter to clients will depend on the regulations governing your sector and the terms of any contract or agreement you hold with your clients.

If you do not have a legal obligation to disclose this matter to your clients, there may still be an advantage in being transparent. It is possible that your clients or their families are aware of this issue and have concerns about their care. Being transparent may help to manage these concerns.

Do I have to tell my regulator if I was employing someone with a cancelled qualification?

Whether there is an obligation to tell your regulator will depend on the specific regulatory arrangements in your sector and the conditions of your registration.

ASQA has been working with state and territory governments and other regulatory bodies. Your regulator is aware of the issue and will be able to support your organisation as you manage this situation. Please contact them to discuss as needed.

What do I do if I don’t know whether my employees had a Luvium qualification? I didn’t keep a record of the name of their training provider?

If holding a qualification is a condition of employment or a requirement for a role you can request evidence of an employee’s qualification at any time.

You may like to request that your employee share a full copy of their authenticated Unique Student Identifier VET transcript with you. VET transcripts can be shared by either emailing a PDF or providing a hard copy of the document. This transcript will include a clickable link and a QR code for accessing the online record to further validate the training listed in the transcript. More information is available here: www.usi.gov.au/transcripts%20info-for-employers.

Can I force an ongoing employee to provide me with a training certificate now?

If holding a qualification is a condition of employment or a requirement for a role you can request evidence of an employee's qualification at any time.

If there is a decision by ASQA to cancel a qualification, the timing of when the former student will be required to return their certificate will depend on the timing of ASQA's decision. This may vary from case to case depending on the process, so you should monitor ASQA's website (www.asqa.gov.au) where more information on the process will be made available.

You may like to request that your employee share a full copy of their authenticated Unique Student Identifier (USI) VET transcript with you. VET transcripts can be shared by either emailing a PDF or providing a hard copy of the document. This transcript will include a clickable link and a QR code for accessing the online record to further validate the training listed in the transcript. More information is available here: www.usi.gov.au/transcripts%20info-for-employers.

If ASQA makes a decision to cancel a qualification this will be reflected in the USI VET transcript.

Can ASQA check the names of my employees and tell me if any of them have had a qualification cancelled? If not, why not?

For privacy reasons ASQA is not able to report on the outcome of individual cases to employers. ASQA is working to provide as much information as possible to state and territory governments and to regulators to support employers to manage this situation.

What should I do while we wait for ASQA's process?

There are a number of factors that will determine what you can do while the ASQA process is underway. It is important to note that while the ASQA process may be as short as two weeks, with the possibility of extensions, consideration time and appeals this matter may last a number of months.

In making a decision about what to do while the process is underway you will need to consider:

- Is the qualification a mandatory requirement of the role for regulatory purposes?
- Is a qualification a mandatory requirement due to the nature of the role?
- What are the terms of the person's employment?
- What risk would an un-qualified person pose to the health and safety of your clients, other staff or the community?

The person continues to hold the qualification until any decision by ASQA takes effect, so any interim steps you take will need to ensure the person's legal rights are met while managing any potential risk. Possible actions could include:

- Moving the person to a role which does not require the qualification
- Increasing the supervision and oversight of the person's function
- Suspending the person with pay.

In taking action, you will need to comply with legal requirements and the terms of their employment. You may like to seek legal advice in relation to this matter, or speak to their industry peak body. If you are concerned about meeting regulatory requirements, contact your regulator for advice.

Can I suspend the employee while we wait for ASQA's process?

There are a number of factors that will determine what you can do while the ASQA process is underway. It is important to note, that while the ASQA process may be as short as two weeks, with the possibility of extensions, consideration time and appeals this matter may last a number of months.

The person continues to hold the qualification until any decision by ASQA takes effect, so any interim steps you take will need to ensure the person's legal rights are met. Whether you can suspend an employee will depend on the terms of their employment. In taking any action you will need to comply with legal requirements and the terms of their employment. You may like to seek legal advice in relation to this matter. If you are concerned about meeting regulatory requirements, contact your regulator for advice.

My employee is excellent at their job. Do I have to fire them if I don't want to?

It is important you continue to meet the regulatory requirements for your sector, including any mandatory qualifications or training required for employees. If ASQA decides to cancel the qualification of your employee, you should ensure that you continue to be compliant with these requirements. If you are concerned about meeting regulatory requirements, contact your regulator for advice.

Beyond that, your employment decisions are a matter for your organisation. You may also be able to move an employee to a role that does not require mandatory qualifications. You may also choose to support the employee to undertake the required training at another provider.

What options do I have to help my staff member get appropriate qualifications?

You can search for a registered training provider or training course on [Your Career](#). Your Career is Australia's directory of training. It includes information on training in Australia for school leavers, students, apprentices, and employers.

When choosing a training or education provider, it is important to consider whether the provider and the course will meet your employee's needs and expectations. The [Choosing a course and provider](#) section includes a consumer checklist with important questions to ask a potential provider

Employees could undertake a Recognition of Prior Learning (RPL) assessment with a provider. RPL may be based on evidence collected through formal, non-formal and informal learning to determine the extent to which a person has achieved the required learning and/or competency outcomes to be awarded a unit of credit; this is often matched with 'gap' training, to meet the full competency requirements of a unit or course.

Formal learning, as the term relates to RPL, may mean units of credit which are related, but not equivalent to, the credit being sought, or credits which are no longer current.

Non-formal learning refers to learning, which is structured and focused, but which is delivered outside the Australian Qualifications Framework; for example, seminars, continuous professional development activities, and non-accredited training.

Informal learning refers to learning which is gained without syllabus or curriculum without any formal or non-formal direction – in the vocational sector this often relates to skills acquired through the workplace, which have not been directed by an instructor or structured to lead to a recognised outcome.

Your employee will need to provide a variety of documentation. This includes, but is not limited to:

- records of previously completed training
- assessment items
- assessment records and/or
- declarations from a student's employer

I am worried about the risk to my business and clients from untrained or ill-equipped staff trained by Luvium. What should I do?

ASQA and the Department of Employment and Workplace Relations cannot provide advice on the operations of your business. If you are concerned your regulatory body may be able to be of assistance. You should seek your own advice on how to manage risk to your business.

Please continue to monitor ASQA's and DEWR's websites for more information as this situation progresses.

If you are experiencing distress help is available 24 hours a day, 7 days a week, anywhere in Australia. If you need help now, call:

- [Lifeline](#) – 13 11 14
- [Beyond Blue](#) – 1300 224 636.

General public

If you are impacted, or believe you may be impacted by this matter, you can contact ASQA on 1300 701 801 to discuss your options further.

When will we know when affected qualifications have been cancelled?

No qualifications have been cancelled to date. A process is underway, but there are a number of steps that ASQA will need to follow before it will make the final decision and any cancellation will take effect.

ASQA and DEWR are working with relevant Commonwealth agencies, Industry Regulators and State and Territory Governments to identify the potential impact on students, and on any workplaces affected. Those employers that are identified as potentially having affected employees will be progressively contacted and advised of ASQA's process.

What happens while we wait for ASQA's final decision on the affected qualifications?

Any affected former students of Luvium continue to hold their qualifications until any decision by ASQA takes effect. In the interim steps employers will need to ensure that the affected people's legal rights are met while managing any potential risk. Possible actions could include:

- Moving the person to a role which does not require the qualification
- Increasing the supervision and oversight of the person's function
- Suspending the person with pay.

Employers of affected Luvium students will need to comply with their legal requirements and the individual terms of employment of their staff and may like to seek legal advice in relation to this matter.

How will employers know whether their staff have an affected Luvium qualification?

If holding a qualification is a condition of employment or a requirement for a role employers can request evidence of an employee's qualification at any time.

Employers may like to request their employees share a full copy of their authenticated Unique Student Identifier (USI) VET transcript with them. If ASQA makes a decision to cancel a qualification this will be reflected in the USI VET transcript.

ASQA will keep publishing up to date information about where the process is up to on its website: www.asqa.gov.au.

If you require further assistance please contact ASQA on 1300 701 801.

Will people have their employment terminated if they were employed on the basis of a cancelled qualification?

This will likely depend on the nature of the employment, whether the qualification is a mandatory requirement of the role and the terms of the person's employment which may be included in an award, enterprise agreement or contract.

Employers will need to consider the individual employment arrangements of their staff and regulatory requirements and may like to seek legal advice on these matters.

I am concerned about the level of care from staff who may have a Luvium qualification. Can I check the qualifications of staff at an organisation where I am a client.

Due to privacy reasons the public cannot check the qualifications of individual staff. You may like to talk to the management of the organisation about this issue. They may be able to provide you with more information about whether they are affected by the potential cancellation of Luvium qualifications and the kinds of supervision and oversight arrangements they have in place to ensure all staff within the organisation are delivering appropriate care or services to clients. If you have any concern about the safety of clients receiving care, contact the relevant organisation or regulatory body to raise this concern.

I am concerned about a relative or friend in an impacted industry (Child Care/Aged Care/Disability Support/Mental Health Services/ Community Services), what should I do next?

ASQA and the Department of Employment and Workplace Relations are working with relevant Commonwealth agencies, Industry Regulators and State and Territory Governments to identify any organisations that may be affected and will provide advice and further information as soon as possible.

Please continue to monitor ASQA's and DEWR's websites for more information as this situation progresses.

If you are concerned that you or someone you know may be affected and are experiencing distress, help is available 24 hours a day, 7 days a week, anywhere in Australia. If you need help now, call:

- [Lifeline](#) – 13 11 14
- [Beyond Blue](#) – 1300 224 636.