



Regulation Report

1 July to 30 September 2024

Our purpose

As the national regulator of Australia's vocational education and training (VET) sector, our overarching purpose 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 regulate providers that deliver:



VET qualifications and courses to students in Australia or offer Australian qualifications internationally.



VET courses to overseas students – approved on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) to teach overseas students on student visas in Australia.



English Language Intensive Courses for Overseas Students (ELICOS) – approved on the CRICOS.

We also accredit courses that may be offered by registered 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
- implements a collaborative approach to engagement and communication with all stakeholders.

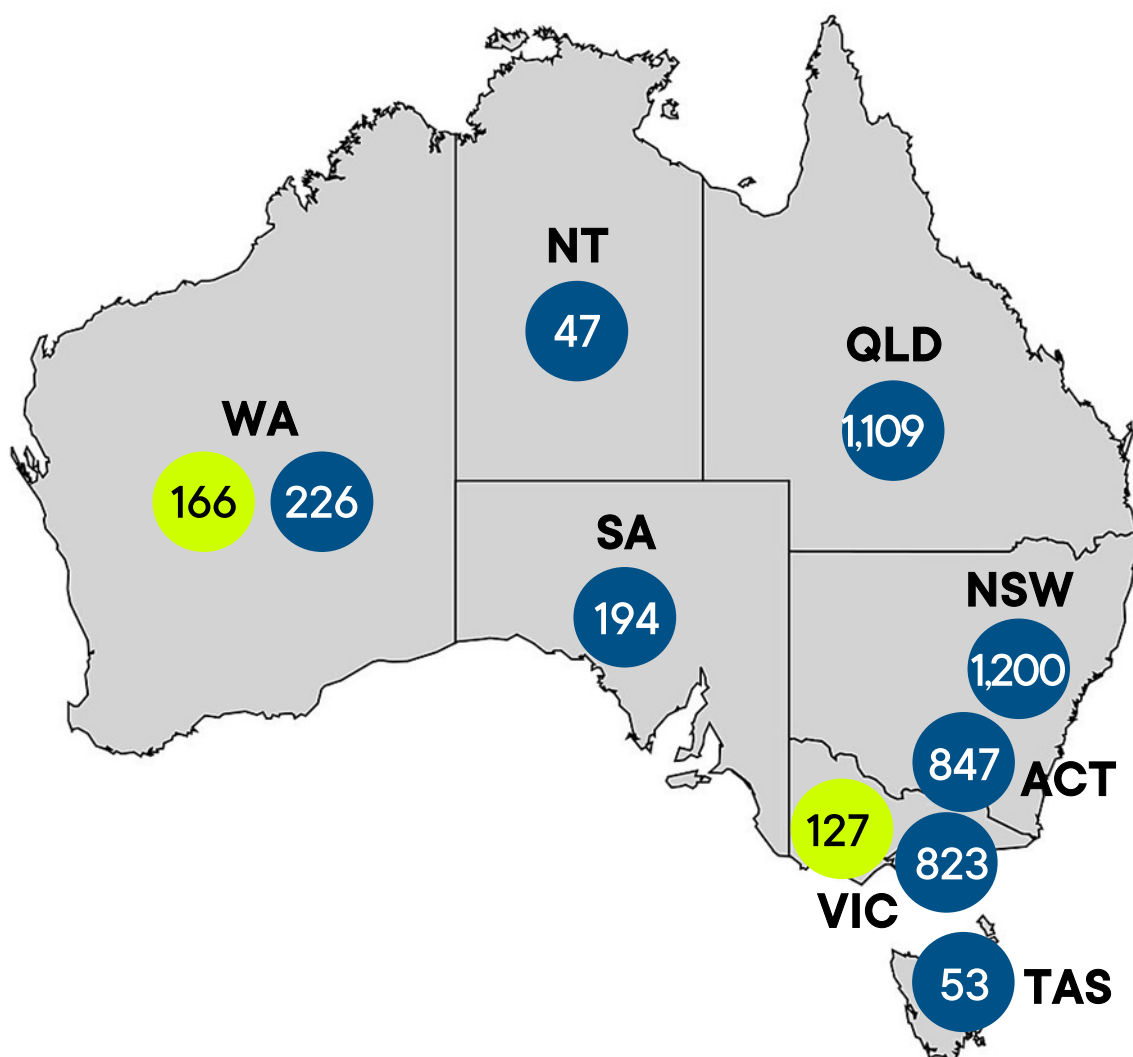
Our regulatory approach is underpinned by our [Regulatory Operating Model](#) and [Regulatory Risk Framework](#).

VET sector at a glance

As at 30 September 2024, we regulate 3,736 (92.73%) RTOs which comprise the national VET provider market (represented below in blue ●).

The remaining providers (●) are regulated by the following state regulators:

- Western Australia Training Accreditation Council (WA TAC) – 166 providers (4.12%)
- Victorian Registration and Qualifications Authority (VRQA) – 127 providers (3.15%).



Of the 3,736 RTOs we regulate:

- 2,813 are approved to deliver VET to domestic students
- 644 are also registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) to deliver VET to overseas students
- 279 are also registered on the CRICOS to deliver VET and ELICOS to overseas students.

In addition, we regulate a further 87 ELICOS-only providers that are registered on the CRICOS.

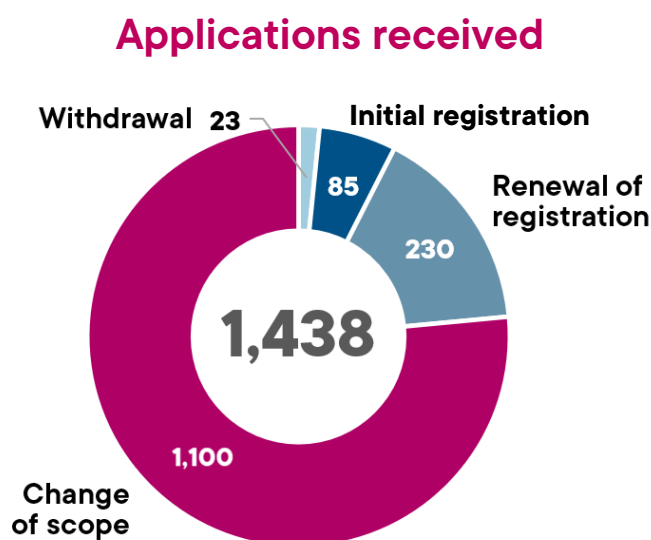
Registering providers

We assess applications for registration against criteria under our legislation to ensure students, employers, governments and the community can 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 choose to exit the market by applying to us to have their registration withdrawn.

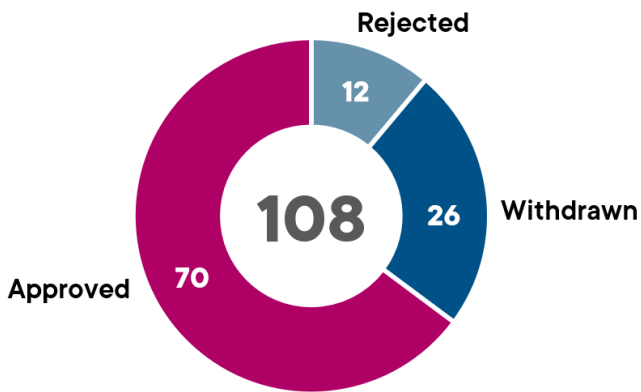
Our registration activities and outcomes between 1 July and 30 September 2024¹ were:



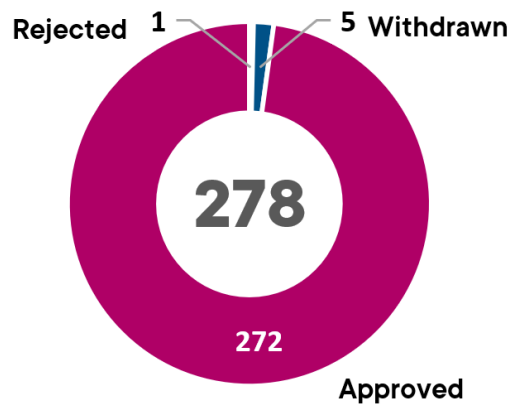
¹The number of applications determined includes applications that were received (but not finalised) in the previous financial year.

Application outcomes

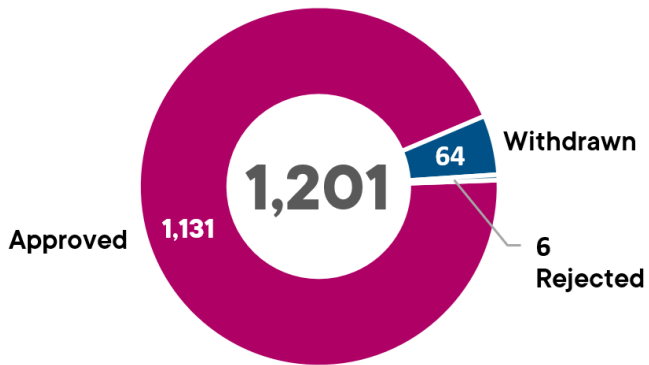
Initial registration



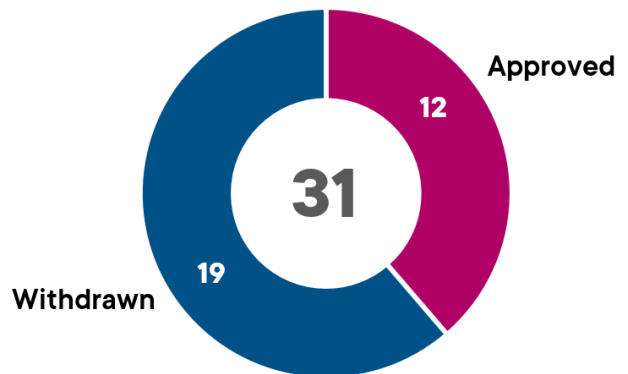
Renewal of registration



Change of scope



Withdrawal of registration



Of the 70 initial registration applications approved, the number of new providers that entered the sector over the period include 29 RTOs approved to deliver to domestic students, 34 RTOs approved to deliver to domestic and overseas students, 2 providers approved to deliver English language training only, and 5 existing RTOs approved to deliver to overseas students.

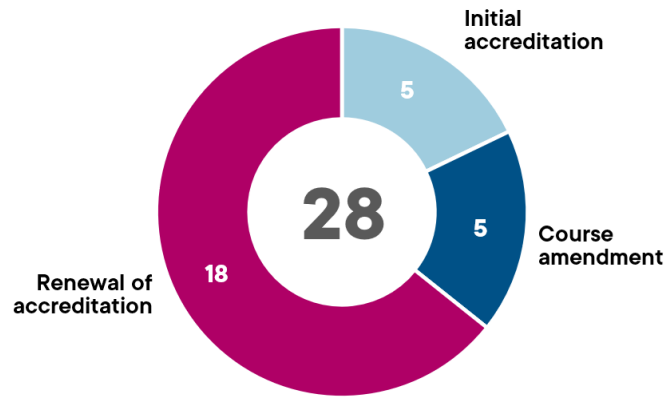
Accrediting courses

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. Courses may be accredited for up to 5 years and are listed on the National Register.

Our course accreditation activities and outcomes for the period² are presented on the following page.

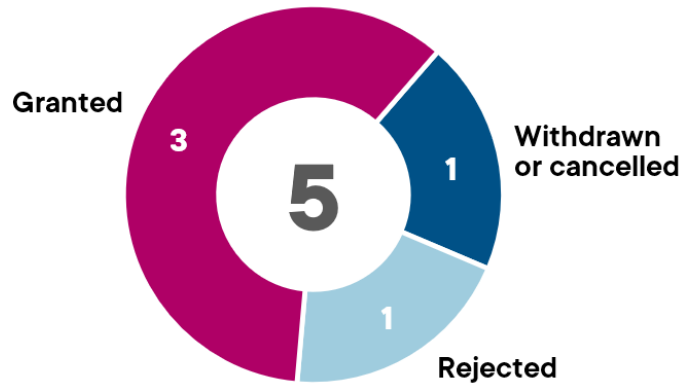
² The number of applications determined includes applications that were received (but not finalised) in the previous financial year.

Applications received



Application outcomes

Initial accreditation



Accreditation renewal



Course amendment



Education and Engagement

Between 1 July and 30 September 2024, ASQA published monthly editions of *ASQA IQ – Integrity and Quality in Focus*. *ASQA IQ* is a key component in our education and engagement suite, supporting providers in understanding and complying with requirements as well as continuously improving their practices and outcomes for students.

Over this same period, we also:

Designed, reviewed and updated eDMs sent to providers in relation to real estate compliance breaches as well as overdue annual registration charges

Published 15 posts on LinkedIn (with 7.55% post engagement rate) and 15 posts on X (with 18.95% post engagement rate).

Additionally, through our Service Delivery functions – information line and email enquiries – we have continued to respond to requests and provide information on regulatory requirements. Details of our engagement between 1 July and 30 September 2024 are outlined below.

Enquiries received

5,632

phone calls

1,981

emails

1,152

student record enquiries

Top enquiries from students

- Student records
- Complaints about providers
- Requests for information

Top enquiries from providers

- Applications
- VET general information
- Tech support

Monitoring quality

Complaints and intelligence about providers

We receive complaints and intelligence about provider practices through several channels from a range of stakeholders including students and staff of providers, industry and government agencies. While ASQA is not a complaint-handling body, we engage with the complainants whenever possible. Providers that are the subject

of a complaint receive a notification from ASQA, 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.

49
complaints
received

Top concerns

- **Training, assessment or study support**
- **Course fees, payment plans, refunds or VET Student Loan terms**
- **Receiving a certificate after completing the course**

VET Tip-Off line

Our 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 between 1 July and 30 September 2024 are outlined below:

805
tip-offs received

Top concerns

- **Non-compliance**
- **Falsification of student records**
- **Academic cheating**

Top risk priorities

- **Academic cheating**
- **Non-genuine providers and bad-faith operators**
- **Academic integrity**

Performance assessment and monitoring of RTOs

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

These activities include:

Undertaking surveys
(of students and/or
other stakeholders)

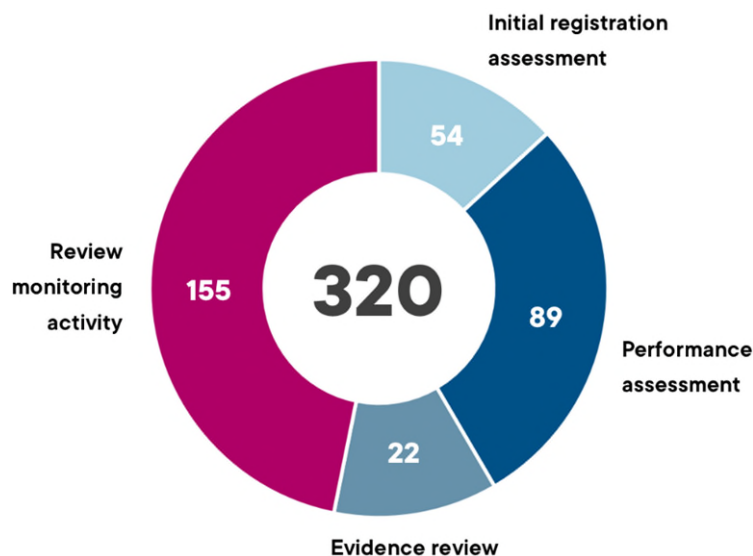
Interviewing providers,
students, trainers/
assessors and/or other
provider personnel

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 on the following page.

Completed assessment and monitoring activities



When a performance assessment is undertaken, varying degrees of non-compliance may be identified. Of the 89 performance assessments undertaken, 66 (74%) resulted in a finding of non-compliance. Of these, 39 (59%) providers satisfied ASQA they had addressed the issues of concern and returned to compliance.

Investigations

We draw on our investigative capability and functions to:

Undertake surveillance and information collection activities

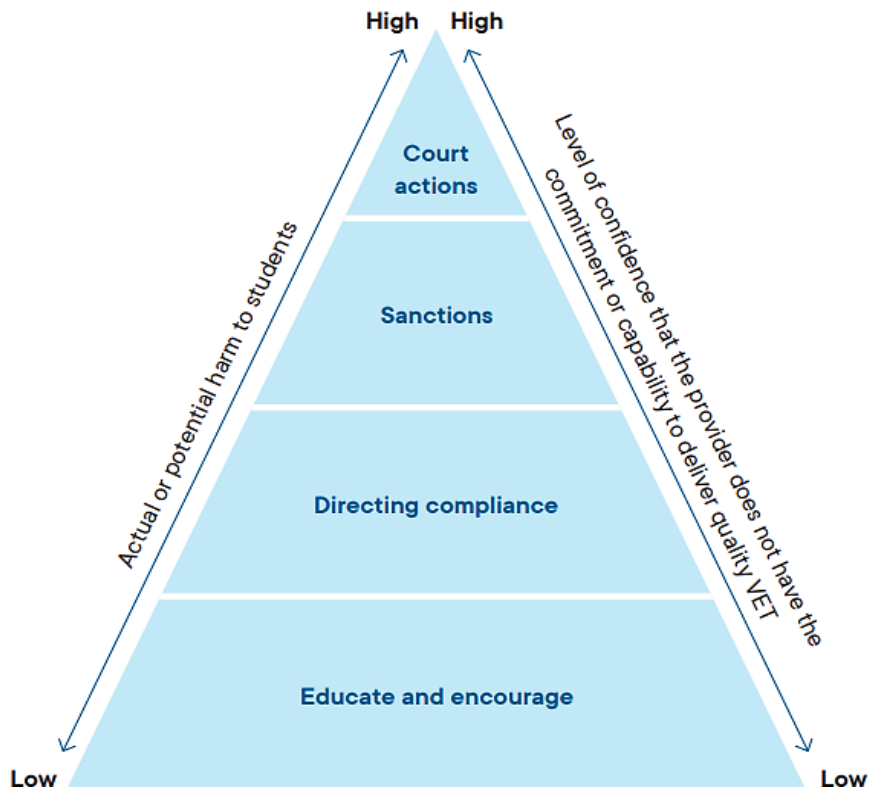
Investigate serious issues of non-compliance

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

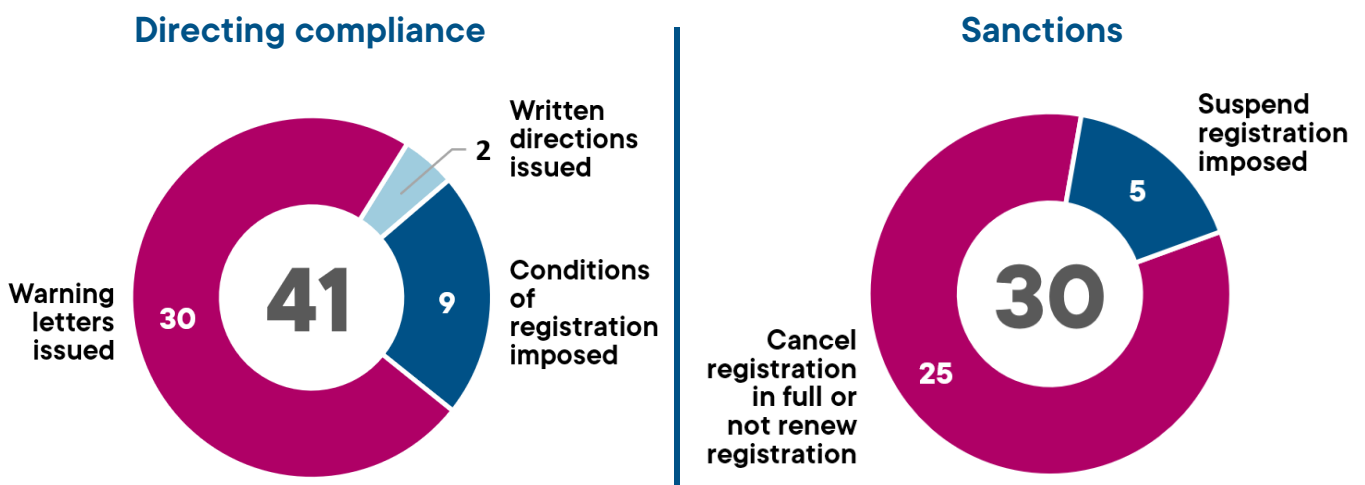
Where ASQA finds that a provider does not meet the requirements of registration, we respond to non-compliance in a proportionate way. The figure on the following page illustrates ASQA's graduated approach to its use of escalating regulatory tools to promote and ensure compliance.



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, the evidence they will provide of their return to compliance, and the timeframes for completing these actions. Between 1 July and 30 September 2024, 11 providers entered into an ATR. 5 ATRs were also finalised in this period, of which 5 returned to compliance.

Where a provider does not demonstrate a commitment or capability to deliver 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.

Our sanction and directing compliance activities for the period³ were:



³ The number of sanctions imposed relates to a total of 61 providers.

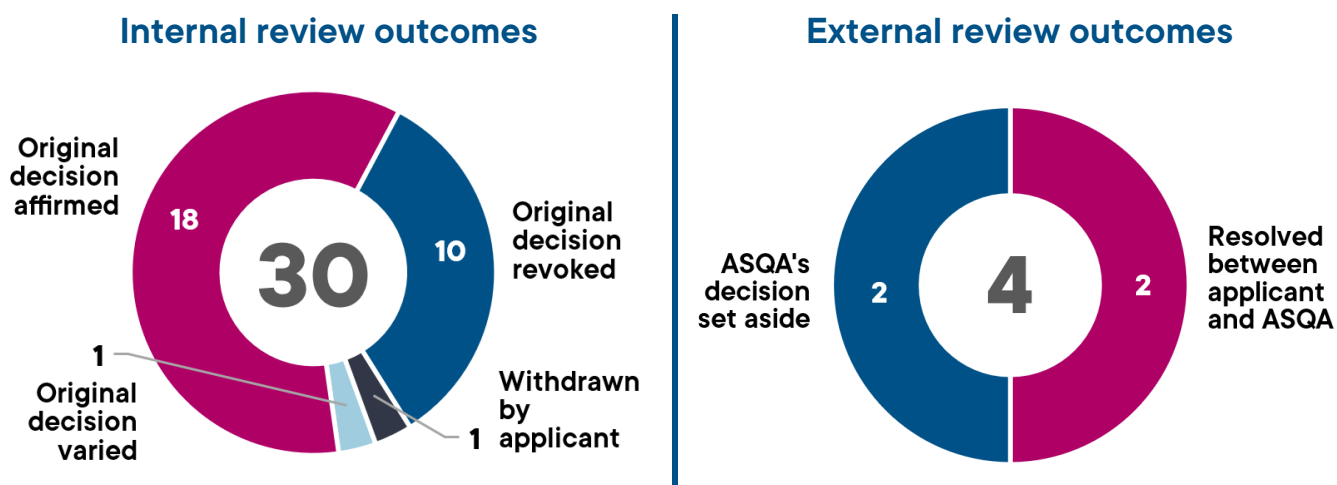
ASQA also has powers to protect the validity of accredited qualifications and the quality of the VET sector under our legislation, and we may prosecute individuals or entities who create Statements of Attainment or advertise as an RTO without a registration.

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.

Our review activities and outcomes between 1 July and 30 September 2024 were:



Our service standards

We closely monitor, manage and report on our performance against 15 service standards established in July 2023. In Q1 2024–25, we met 7 of those service standards. High volumes, inadequate legacy systems and the need for appropriate regulatory scrutiny have resulted in some service standards currently not being met.

As our focus is on safeguarding the integrity of VET by ensuring the applicant can comply with required standards and legislative obligations, the level of assessed risk and particular circumstances of each application will impact on how long it takes to determine an outcome.

However, recent government investment in ASQA’s technology will better equip us to manage high-volume transactions more efficiently. This includes the introduction of a new telephony system, as well as an uplift in our capability to support intelligence-gathering, understand provider operations, provide assurance, and identify trends or activities that may be evidence of unlawful behaviour.

Additionally, we are continuing to improve our communications with providers to proactively provide them with all the information they need and to reduce reliance on enquiries.

ASQA is committed to achieving our targets across all service standards in 2024-25 and we are confident that we will see improvements over the following quarters.

Our results against each of our service standards for Q1 2024–25 are set out on the following page.

Performance against service standards

■ Result ■ Target

