

# SCHOOL BASED APPRENTICESHIPS AND TRAINEESHIPS (SBATs) IN VICTORIA

GUIDE TO ESTABLISH AND DELIVER SBATs



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# GLOSSARY

<b>AASN</b>	Australian Apprenticeship Support Network
<b>Approved Training Schemes</b>	Approved Training Schemes list which qualifications in a training package for a specific industry are available as apprenticeships and traineeships in Victoria
<b>AQF</b>	Australian Qualifications Framework
<b>AO</b>	Authorised Officer
<b>ASO</b>	Apprenticeship Support Officer
<b>ASQA</b>	Australian Skills Quality Authority
<b>Child Safe Standards</b>	Victoria's compulsory minimum standards for organisations which provide services for children, including Victorian schools, to help ensure the safety of children. The standards are part of the Victorian Government's response to the Betrayal of Trust Inquiry.
<b>Credit transfer</b>	Credit given based on documentary evidence or statement of attainment/qualifications for a unit of competency previously achieved.
<b>Direct Employer</b>	The individual or business that engages the apprentice or trainee
<b>Employer</b>	An employer may be the individual or business that engages the student (a Direct Employer) or a business that engages the student through a Group Training Organisation (a host employer). The GTO is the student's legal employer but the student performs work duties with the host employer. The employer, not the host employer, is responsible for signing the Training Contract.
<b>GTO</b>	Group Training Organisation
<b>LLEN</b>	Local Learning and Employment Network
<b>NSSP</b>	Non-School Senior Secondary Provider
<b>RCC</b>	Recognition of Current Competence (RCC) is defined as the process of assessment and formal recognition by an assessor of competence currently held by a candidate which has been gained through any combination of formal, informal training and education, work experience or real life experience.
<b>RPL</b>	Recognition of Prior Learning (RPL) is an assessment process that involves assessment of an individual's relevant prior learning (including formal and informal) to determine the credit outcomes of an individual application for credit.
<b>RTO</b>	Registered Training Organisation
<b>SBAT</b>	School Based Apprenticeship or Traineeship (also referred to as ASbA, which stands for Australian School-based Apprenticeship, and includes traineeships).

<b>School</b>	For the purposes of these guidelines, a school is a registered provider of a senior secondary certificate, either the VCE or the VCAL. This includes Non-School Senior Secondary Providers.
<b>Structured Training: ‘off-the-job’</b>	Structured training and assessment delivered by an RTO in a formal setting. It is often referred to as ‘trade school’ or ‘block release’. Timetables vary, but usually include a day a week and sometimes blocks of weeks at a training facility during holiday periods.
<b>Structured Training: ‘workplace-based’</b>	This is the Structured Training (and assessment) organised to take place in the workplace by the RTO. It takes place when the apprentice or trainee is withdrawn from regular work duties.
<b>Student</b>	For the purposes of these guidelines, a student is someone aged 15 years and over, enrolled in a senior secondary certificate, and undertaking an SBAT or a part-time apprenticeship or traineeship.
<b>Training Contract</b>	An agreement signed by the Employer and the apprentice or trainee (and a parent or guardian if applicable) specifying the type of apprenticeship or traineeship to be undertaken. It details the training obligations of Employers and apprentices or trainees. It contains details of the commencement date for training, the duration of the training and the workplace location at which the apprentice or trainee will receive practical experience. A Training Contract must be signed within 14 days of the apprentice or trainee being employed.
<b>Training Contract Commencement Date</b>	The date on which the Training Contract between the Employer and the apprentice/trainee comes into effect.
<b>Training Package Qualification</b>	Identifies the title of the training package qualification directly related to the training, as described at <a href="http://training.gov.au">http://training.gov.au</a>
<b>Training Plan</b>	Records detailed information of training and assessment for a student whose training is funded under the Training Contract. This information ensures that both the RTO and the student make informed decisions about the services required and the respective obligations in the delivery of these services. The Training Plan developed by the RTO with the Employer details these arrangements.
<b>UOC</b>	Unit of Competency
<b>VASS</b>	Victorian Assessment Software System
<b>VCAA</b>	Victorian Curriculum and Assessment Authority
<b>VCAL</b>	Victorian Certificate of Applied Learning
<b>VCE</b>	Victorian Certificate of Education
<b>VET</b>	Vocational Education and Training
<b>VETIS</b>	Vocational Education and Training in Schools
<b>VIT</b>	Victorian Institute of Teaching
<b>VRQA</b>	Victorian Registration and Qualifications Authority

**VTAC**

Victorian Tertiary Admissions Centre

**VTG**

Victorian Training Guarantee (VTG) is an entitlement to a government-subsidised place in recognised training that can be accessed at a wide range of RTOs contracted to deliver training.

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# SECTION 1: INTRODUCTION

School Based Apprenticeships and Traineeships (SBATs) were introduced in 1998 as a distinct pathway within Vocational Education and Training in Schools (VETiS). They are available to students:

- aged 15 years and over, and
- enrolled in the VCE or the VCAL.

Both registered schools and Non-School Senior Secondary Providers (NSSPs) are able to offer SBATs to students that meet these criteria. For the purposes of these guidelines, all references to the 'school' are equally inclusive of and applicable to NSSPs.

These guidelines provide information about apprenticeships and traineeships undertaken as an integrated part of a senior secondary program. An SBAT is the preferred arrangement for a student to undertake an apprenticeship or traineeship as a recognised part of their VCE or VCAL.

This document details the roles and responsibilities of relevant parties involved in ensuring the successful implementation, delivery and completion of an SBAT.

Schools have a key responsibility to provide effective oversight of SBAT arrangements to ensure a direct link with the student's career plan. Tailored career education and guidance must be provided, with an emphasis placed by schools on genuine employment arrangements that lead to strong employment outcomes. The school must work with the student to ensure that undertaking an SBAT will not be detrimental to the student's senior education.

Training providers are eligible to access subsidies under the Victorian Training Guarantee (VTG) for students undertaking an SBAT.

## WHAT IS AN SBAT?

An SBAT offers students the option of combining a senior secondary program with part-time employment and training. The program is undertaken under a Training Contract with an employer. A Training Plan signed by the school is formally lodged with the Australian Apprenticeship Support Network (AASN). It leads to a nationally recognised qualification.

An SBAT is an integral part of the student's senior secondary learning program and study timetable. Regular school attendance is combined with a minimum of one timetabled day a week of employment and/or structured training. The time requirements of work and training for the SBAT are undertaken at an average of 13 hours a week over each four-month period each year. The VRQA is responsible for regulating the minimum hours per week for employment and training for SBATs. The full policy can be accessed at: <http://www.vrqa.vic.gov.au/appttrain/Pages/schemes.aspx>

### **For an apprenticeship or traineeship to be registered as an SBAT it must:**

- be under a Training Contract with an employer
- include paid work carried out under an appropriate industrial instrument that endorses part-time apprenticeships or traineeships
- include work relevant to the qualification being undertaken by the student
- lead to a nationally recognised qualification at Certificate II, III or IV level
- be integrated into the student's school-based learning program, study timetable and career plan, and
- include training that complies with an approved training scheme for the certificate being undertaken and at a level appropriate for the student.

### **The school's endorsement of the Training Plan indicates that:**

- the student is enrolled in VCE or VCAL
- the SBAT forms part of the student's career plan and study timetable
- the student is undertaking genuine paid employment under a Training Contract.

Schools should sign a Training Plan only if, after speaking with the student, employer and training provider, it is sure it meets all necessary requirements for an SBAT arrangement.

## ADVANTAGES OF UNDERTAKING AN SBAT

By undertaking an SBAT while completing a senior secondary certificate, a student may:

- incorporate vocational training and work into their senior secondary program
- gain credit towards their VCE or VCAL certificate
- complete a senior secondary certificate whilst experiencing the pathway of their choice
- get a jumpstart on their career
- earn money
- gain valuable skills and knowledge in their chosen field, and
- get hands-on experience.

## WHO IS ELIGIBLE TO UNDERTAKE AN SBAT?

SBATs are open to students who are:

- at least 15 years of age
- enrolled in either the VCE or the VCAL, and
- Australian Citizens or Permanent Residents\*\*

\*\*In certain cases, select non-citizens holding a Bridging Visa E, Temporary Protection Visa or Safe Haven Enterprise Visa may be eligible to undertake a VTG subsidised SBAT.

To be eligible to enrol with a Private RTO the Asylum Seeker Resource Centre (ASRC) or the Australian Red Cross (ARC) must first refer the individual to the Private RTO. The ASRC or ARC must endorse and issue a valid Referral Form prior to enrolment.

To be eligible to enrol with a TAFE Institute or a Learn Local RTO, the eligible individual must (a) hold a valid Referral Form endorsed by the ASRC or the ARC prior to enrolment, OR (b) hold an appropriate visa verified by the TAFE Institute or Learn Local RTO using the VEVO system.

Steps required to develop and undertake an SBAT are summarised in Section Two and detailed in Section Five.

## APPRENTICESHIP/TRAINEEHIP: WHAT'S THE DIFFERENCE?

### Under an apprenticeship:

- An employer agrees to employ the student for the term of the apprenticeship and to support them in their training for that period.
- The student agrees to follow instruction and attend off-the-job and/or workplace-based training.
- If ownership of the business changes during an apprenticeship, the new employer must continue with the Training Contract.
- Once the probationary period has been completed, the Training Contract can be cancelled only if the employer and student agree. Any disagreement about this can be resolved by contacting the Victorian Registration and Qualifications Authority (VRQA) on 1300 722 603.

### Under a traineeship:

- An employer agrees to employ the student for the term of the traineeship and to support them in their training for that period.
- The student agrees to follow instruction and attend off-the-job and/or workplace-based training.
- If ownership of the business changes, the new employer does not have to keep the student on as a trainee.
- Either the employer or trainee can cancel the contract. There is no need for mutual agreement.

## TYPES OF SBAT ARRANGEMENTS

There are two types of SBATs:

### Type A

- 'Off the job' training, which requires at least 13 hours a week (seven hours of paid employment and at least six hours of training) over three periods of four months in each year of the program.

### Type B

- Fully 'workplace-based' training where the student undertakes a minimum of 13 hours of paid employment a week.
- At or above Certificate III level, the student is withdrawn from normal work duties for at least one hour a week to undertake structured training. This one-hour minimum is averaged over a four-week cycle.

## STUDENT CONSIDERATIONS

### Checklist

- Do you have an employer who can take you on for the required hours?
- Does your career plan indicate that you intend to pursue this type of career?
- Would you be able to handle work, training and other study at this time in your senior secondary program?
- Is the SBAT going to place additional pressure on your VCE or VCAL program?
- Have you spoken to your teachers or careers advisor?
- Do you have any formal training or experience that may give you credit towards the training component of your SBAT?
- Have you undertaken any VET that might be eligible for credit?

### Recognition of Prior Training

A student who moves from a general VET program to an SBAT program may be eligible for credit transfer for any Units of Competency (UOCs) completed as part of previous VET qualifications.

School staff may explore the Victorian Assessment Software System (VASS) to identify potential credit transfer from a school's perspective, as this database is where previous training is recorded.

A student will not receive any additional credit towards their VCE or VCAL for units that are credited towards their SBAT qualification from UOCs or modules undertaken in previous VET qualifications.

## SCORED ASSESSMENT AND ATAR CONTRIBUTION

Students undertaking an SBAT would typically not undertake scored assessment in their SBAT qualification. Contribution towards the ATAR would be as a consequence of them achieving a Unit 3 and 4 sequence from their SBAT, which may provide a 10 per cent, 5<sup>th</sup> or 6<sup>th</sup> study increment. Students wishing to access a study score from their SBAT qualification would need to complete Units 3 and 4 from the VCE VET scored program as a separate enrolment to their SBAT.

Detailed advice on the calculation of the ATAR is available from Victorian Tertiary and Admissions Committee (VTAC) at: <http://www.vtac.edu.au>

## CREDIT TOWARDS VCE/VCAL

Like other VETiS offerings, the vocational training components of SBATs may also contribute credit towards a senior secondary certificate.



## VCE students

May accrue credit in the following ways:

- The student will receive credit determined by the Victorian Curriculum Assessment Authority (VCAA) within the VCE Unit 1–4 credit structure. Typically students completing a qualification with a 360-hour nominal duration would receive Units 1–4 towards the VCE.
- All other qualifications at Certificate II or above provide credit on the basis of one VCE unit for each 90 hours of completed Units of Competency (UOCs).
- UOCs at AQF level II provide credit at VCE Unit 1 and 2 level and UOCs at AQF level III or above provide credit at VCE Unit 3 and 4 level.

## VCAL students

Receive one unit of credit for each 90 hours of completed UOCs. The credit will relate to the Industry Skills and Work Related Skills strands. A student completing a qualification with 450 nominal hours will receive five credits towards their VCAL.

## OTHER ARRANGEMENTS

Where a proposed apprenticeship or traineeship cannot be undertaken as an SBAT, the employment and training arrangement may continue to proceed under the Training Contract confirming the student as 'part-time attending school'.

Part-time attending school arrangements for apprenticeships and traineeships differ from school endorsed SBATs as:

- the training and employment are outside the school timetable, and
- the school does not endorse the Training Plan

Where this is the case, there is no funding support provided to the RTO from the government, either through the VTG or through school funding to subsidise training.

The school or RTO should advise the student and parent/guardian that they will be required to pay additional fees or enter a fee-for-service arrangement with the RTO where they will be responsible for the full amount of fees attached to the training component of the part-time apprenticeship or traineeship.

# SECTION 2: AN OVERVIEW OF THE KEY STEPS TO ESTABLISH AN SBAT

SBATs are arranged by a number of key parties. These include the student and a parent/guardian, the employer, the RTO, the school (where the student is enrolled to undertake their senior secondary certificate) and the AASN.

Below are six key steps to establish an SBAT. Section 5 provides detailed information on each of these six steps.

## Step 1: Establishing an SBAT

- An employer makes an offer of an SBAT to a student.
- The employer or student advises the school that they wish to negotiate the details of the employment and training.
- The school facilitates this process (and oversees the SBAT for its duration).
- The parties identify an appropriate RTO to deliver the training.
- The employer and student (parent/guardian) sign the Training Contract.
- The Training Contract is registered with the AASN.

## Step 2: Sign-up and Approval

- The RTO prepares the Training Plan with the employer.
- The employer, RTO, and student agree to an appropriate Training Plan and sign it.
- The school is the final party to sign the Training Plan after verifying arrangements and prior to the student being enrolled with the training provider.
- The Training Plan is sent to the AASN to register the SBAT.
- The school records the VET Certificate and flags it as being undertaken as an apprenticeship or traineeship on VASS.

## Step 3: Implementation

- The student undertakes their VCE or VCAL at school, employment with their employer and structured training at an RTO.
- The RTO is required to provide results of training to the school in order to meet the reporting requirements of the VCE or VCAL.

## Step 4: Changes to the Training Contract

- All parties must be notified immediately if there are any changes that need to be made to the Training Contract.
- Changes that may occur include: cancellation of an SBAT, illness or injury, time-off work, or changes to RTO qualifications, units or training packages.
- The school should facilitate clear communication between all parties.

### Step 5: Completion of an SBAT

- Upon achievement of the required competencies the student receives the qualification issued by the RTO.
  - The student receives credits towards their senior secondary program (VCE or VCAL certificate) by the VCAA.
- 

### Step 6: Student Support

- Any absences, difficulties, issues or concerns must be reported to the school and the school must monitor these and follow up, where necessary.
  - Regardless of which party the concern is with, the school has a constant duty of care and plays an important role as intermediary between the student and all other parties if any issues arise.
  - Schools may wish to contact their AASN as required.
-

## SECTION 3: ROLES

### Student

- Is undertaking the VCE or VCAL.
- Decides, together with their parent/guardian and career advisor, that an SBAT forms part of their career plan.
- Approaches employers who have identified employment opportunities to the school, or another employer who is willing to take them on.
- Agrees to undertake the training specified in their Training Plan.
- Ensures the school provides details of any VET completed to the RTO for RPL assessment.
- Spends at least one day a week in their school timetable on-the-job or in training.
- Notifies their employer or RTO of any absences.
- Participates in their other VCE or VCAL classes.

### Parent/Guardian

- Gives permission for the student to undertake the SBAT, including training during any holiday periods.
- Supports the student in securing employment and undertaking training.
- Reports any absences to the workplace supervisor, RTO and school as required.
- Maintains communication to support the school, RTO and employer with any issues during the SBAT program.

### School

- Provides advice to the student in developing their career plan, and deems the SBAT to be in the best interest of the student.
- Checks whether a Training Contract has been signed by the employer, training provider and the student and lodged with the AASN.
- Checks the contribution towards the VCE or VCAL of the SBAT program on VASS to ensure the student is eligible to complete their VCE or VCAL.
- Can provide release from structured classes within the school timetable to incorporate training or employment.
- Provides a school staff member to regularly communicate with the student for pastoral and duty of care requirements.
- Complies with the Child Safe Standards for the duration of the SBAT.
- Endorses the Training Plan for registration of the SBAT prior to student enrolment in training with an RTO.
- Informs the employer and RTO of any student issues that need to be addressed to minimise health and safety risk while attending employment or training.
- Ensures students are aware of equal opportunity and unlawful harassment and discrimination, and how to recognise abuse or other risks to their safety, and have the skills and confidence to raise concerns, make complaints or let someone know they feel unsafe.
- For students who are not Australian citizens or holders of an Australian Permanent visa enrolling in a VTG subsidised SBAT, confirm the student's eligibility to undertake VTG subsidised training with the TAFE Institute, or Learn Local RTO. Prior to enrolment with a Private RTO, the school must contact the Asylum Seeker Resource Centre to confirm eligibility to undertake VTG subsidised training and confirm that training places are available under the Asylum Seeker VET Program.

## Employer

- Offers paid employment to a student under an industrial agreement that recognises SBATs.
- Obtains Victorian Registration and Qualifications Authority (VRQA) approval to enter into a training contract.
- Allows the student to undertake their structured training.
- Ensures the student understands workplace policies regarding bullying, harassment and discrimination, and any other behavioural standards or codes of conduct that apply to the workplace.
- Ensures other employees in the workplace understand acceptable and unacceptable behaviours in dealing with students.
- Ensures the student can readily contact their school if required during the placement.
- Ensures school staff can readily contact the student to check in with how their placement is progressing.
- Engages an RTO to support and deliver the training required of the program.
- Checks whether they meet the eligibility for Commonwealth incentives.
- Arranges for signing and lodgement of the training contract with the AASN.

## Registered Training Organisation (RTO)

- Is a registered training provider with the VRQA and/or Australian Skills Quality Authority (ASQA) and has on their scope of registration the training required for the SBAT.
- Delivers a training program to the SBAT student that meets the requirements of the approved training scheme.
- Implements appropriate processes to ensure student safety.
- Ensures the Training Plan is endorsed by the school prior to enrolling the student in the training program, to be eligible for VTG subsidies.
- Is responsible for the assessment of the student and keeps the school regularly informed of student progress.
- For Learn Local RTOs or TAFE Institutes enrolling non-citizens, confirm eligibility by verifying individual's visa using the Visa Verification Online (VEVO) system. The Asylum Seeker Resource Centre can provide guidance if required. Private RTOs may enrol certain non-citizens if they have been previously referred to them via a valid Referral Form issued by the Asylum Seeker Resource Centre.

## Australian Apprenticeship Support Network (AASN)

- Market and promote apprenticeships and traineeships in the local area.
- Provide assistance to employers, apprentices, trainees and training providers throughout the duration of the apprenticeship or traineeship.
- Administer incentive payments to employers and apprentices.
- Work with state and territory training authorities to provide an integrated service.
- Establish effective relationships with Job Services Australia providers, Group Training Organisations (GTOs), RTOs, schools and community organisations.

## **OTHER SUPPORTS AVAILABLE**

### **Authorised Officers (AOs)**

- To monitor compliance, regulatory field services are provided by a network of authorised officers who have a right of entry and inspection.
- Where necessary, AOs will refer apprentices and trainees to other agencies for advice on issues that are outside the VRQA's regulatory function. For example, questions about wages, industrial issues, occupational health and safety, harassment or bullying.
- Access to AOs is provided through the VRQA.

### **Apprenticeship Support Officers (ASOs)**

- Support and guide all apprentices aged 15 to 24 in the first year of their apprenticeship.
- Offer advice and assistance on personal and workplace issues.
- Work with RTOs, AASNs and other service providers to deliver an integrated apprenticeship support service.



## SECTION 4: DUTY OF CARE

The responsible parties in an SBAT have different duties.

The school/NSSP must ensure it meets the minimum requirements for school/NSSP registration, exercises its duty of care and provides pastoral care to the student.

Child Safe Standard Six (Ministerial Order 870, clause 12) requires the school governing authority to develop, implement, monitor and evaluate risk management strategies to ensure child safety in school environments.

The definition of “school environment” (Ministerial Order 870, clause 4) extends to any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including School Based Apprenticeship and Traineeship (SBAT) environments. Schools are therefore required to develop and implement risk management strategies prior to a child undertaking an SBAT to ensure that the child’s safety will not be compromised.

In accordance with the VRQA Guidelines for Non-School Senior Secondary Education providers - Minimum standards for registration to provide an accredited senior secondary course, NSSPs must have policies, procedures, measures and practices in accordance with the DHS Child Safe Standards which commenced on 1 January 2016. NSSPs are therefore required to develop and implement risk management strategies prior to a child undertaking an SBAT to ensure that the child’s safety will not be compromised.

The DHS Child Safe Standards can be accessed at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources> or on the VRQA website at [www.vrqa.vic.gov.au/childsafe](http://www.vrqa.vic.gov.au/childsafe).

The employer must provide a safe workplace and ensure appropriate supervision of the student.

The RTO must ensure any staff meet Working with Children requirements.

### School

The school is not directly responsible for incidents that occur when the student is undertaking work or training under the SBAT.

However, schools should take measures to protect the student from harm and address issues as they arise. For example:

- the school becomes aware of an incident involving the student at the workplace or in training; or,
- the school is concerned that the student is not supervised properly in the workplace.

The school should nominate an internal staff member for the student to contact directly on any issues they may have with the SBAT.

That staff member may seek information from an external agency such as VRQA and/or ASQA or WorkSafe Victoria.

The school might refer the student to agencies such as the Fair Work Commission or the Victorian Equal Opportunity and Human Rights Commission for issues related to workplace rights, discrimination or sexual harassment.

### RTO

- Provides the student with information and support about the training requirements being undertaken.
- Ensures all trainers providing training services to the SBAT have undertaken a Working with Children Check, as required by the *Working with Children Act 2005* (Vic), unless the RTO is satisfied that such persons are exempt under the Act from a check.
- Reports any student absences to the employer and the school at least weekly.

## Employer

The employer must ensure that:

- paid work is carried out under an appropriate industrial agreement that endorses part-time apprenticeships or traineeships; and
- the student's work is supervised by a 'fit and proper' person with the skills and qualifications that enable the student to attain the skills outlined in the Training Plan.

The obligations of an employer extend to any host employer that an employer may engage to provide employment to the student (for example, hosted arrangements through a GTO).

As in any employment situation, the employer must provide a safe working environment free from bullying, harassment and discrimination.

The employer should monitor the student's attendance at work (including work with any host employer) and use an agreed mechanism with the school, at least weekly, to record and report to the school any non-attendance.

Once reported, the school should discuss with the student the reasons for any absences.

### THE IMPORTANCE OF COMMUNICATION

**Schools should try to provide students access to the widest possible array of locally available SBATs. Schools can use the Structured Workplace Learning (SWL) Portal to identify possible placements. The SWL Portal can be accessed at <http://www.workplacements.education.vic.gov.au/>**

- Schools advertise SBAT vacancies they identify through appropriate communication channels and help students apply for suitable vacancies.
- Some students are capable of identifying SBAT opportunities themselves through family or local networks. They should advise the school Principal/NSSP CEO as soon as an offer of employment for an SBAT is made.
- SBATs require formal documentation and a verbal offer made must be made into a written offer (the school may request a copy).

**Schools play an important role in arranging for the student (and parent/guardian if appropriate) to attend meetings with other parties such as the employer and the RTO.**

- The aim of these meetings is for the student's learning needs to be discussed, addressed and implemented in the Training Plan delivered by the RTO.
- It is helpful if the school can provide a venue for these meetings.
- The school must approve the integrated timetable arrangements agreed to by the student (and parent/guardian), the employer and the RTO.
- The RTO ensures the Training Plan is signed by the school prior to enrolling the student in the training program, to be eligible for VTG subsidies.

**Open and timely communication is vital throughout an SBAT.**

- The employer must provide the school with contact details of its business, including the contact name of the staff member responsible for the student's employment.
- Details of any host employer and their supervising staff and relevant Working with Children checks should also be provided.

**Poor communication or delay in notifying an offer may delay negotiation, approval and registration of a Training Plan and commencement of any SBAT.**

- Throughout this process clear and open communication between all parties is critical. Poor communication and record keeping can lead to delay, frustration and ultimately leave the student at financial disadvantage or ineligible for the qualification.

**It is recommended that all parties meet at least three times a year to review SBAT arrangements, discuss student progress and identify any issues that may need to be addressed.**

# SECTION 5: KEY STEPS TO ESTABLISH AN SBAT – DETAILED CONSIDERATIONS

## Step 1: Establishing an SBAT

If the student is not an Australian citizen or does not hold a Permanent Resident visa, the school should first confirm student eligibility for SBAT – see Section 1: Who is eligible to undertake an SBAT? Schools and employers should also be aware that Commonwealth incentives may not be available to non-citizen SBAT students. An AASN should be consulted for further advice regarding Commonwealth incentives.

### **The employer makes an offer of employment to the student to undertake an SBAT.**

The employment conditions, hours of employment and wages should be discussed and negotiated with the student, parent/guardian and the school.

If the only time a student can obtain employment as part of their apprenticeship or traineeship is outside 'normal school hours', the student is permitted to undertake employment at such times.

This is only acceptable in an industry that operates only in the mornings or evenings, such as bakeries, horse racing stables or some hospitality arrangements.

The employer must:

- engage an RTO to develop a Training Plan and deliver the structured training
- ensure the student is trained in accordance with the approved Training Scheme
- ensure training is completed by the prescribed assessment date and advised to the school
- ensure that any host employer meets the standards for an employer established by the VRQA.

If the employer fails to do these things it may be a breach of the *Education and Training Reform Act 2006* (Vic) and may place them at risk of any penalties prescribed under the Act.

### **Timetabled Employment Arrangements**

A student may undertake work during weekends and school holidays. The employer, parent/guardian and student should discuss and agree to these arrangements before signing the Training Contract.

The employer may enter into a Training Contract with a student only if approved by the VRQA to do so.

The employer must notify the student, RTO and school if the VRQA does not approve them, imposes conditions or cancels the approval.

It remains the employer's legal obligation to ensure that:

- the student is placed in a safe work and training environment
- is given duties appropriate to the qualification, and
- is supervised by a staff member who is a 'fit and proper' person and has the competencies the student is required to develop.

### **Training Contract**

#### **A Training Contract is a legally binding document registered with the VRQA through a nominated AASN.**

The employer has 14 days in which to contact an AASN to initiate the signing and registration of the Training Contract with the RTO, student (and parent/guardian) and the school.

The AASN will engage with the employer, student and parent/ guardian to attend and assist with the sign up within 14 days of the start of employment. The AASN will lodge the Training Contract within 10 working days as 'part-time attending school' and send details to the VRQA (and/or ASQA) for registration.

AASNs are contracted by the Australian Government to provide one-stop shops for those seeking to employ an apprentice or to take up an apprenticeship.

In Victoria, AASNs provide these services for both apprenticeships and traineeships.

They facilitate the completion and signing of Training Contracts and assess, approve and process the payment of Australian Government incentives to eligible Employers, apprentices and trainees.

**The AASN should notify the school once the Training Contract is registered.**

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## Step 2: Sign-up and Approval

### **The RTO prepares the Training Plan with the Employer.**

Once the SBAT offer has been made, the employer works with a suitable RTO to develop a Training Plan.

The employer and RTO must ensure that the qualification is appropriate for an SBAT, matches the job role, including any job role negotiated with a host employer.

Upon receipt of notification of a Training Contract, the RTO:

- should arrange a site visit to negotiate a Training Plan with the employer and student
- should conduct a pre-training interview
- must ensure that the training proposed in the Training Plan complies with an approved training scheme for the certificate undertaken and is appropriate to the needs and learning level of the student
- should discuss any enrolment fees with the student and parent/guardian
- must forward the Training Plan to the school Principal/NSSP CEO for final endorsement prior to the student being enrolled with the RTO, and
- should ensure the school-endorsed Training Plan is lodged with the nominated AASN within two months and alert the student to the student's start date with the RTO.

The business name and place of employment should also be listed in the Training Plan when a host employer has been sourced by an employer.

### **The employer, RTO, and student agree to an appropriate Training Plan and sign it.**

Schools should take the time to review the Training Plan before signing it.

Schools should determine in conjunction with a parent/guardian that the proposed out of school hours employment and training specified in the Training Plan can occur without detriment to the student's overall education, including consideration of the impact of any additional workload. Minimisation of risks around the student's total senior secondary program achievement should also be taken into account.

The school should be reasonably satisfied that:

- the type of program and the amount and level of training proposed in the Training Plan is appropriate for the student and will contribute to their VCE or VCAL; and
- the training is matched to the employment undertaken and within the student's capacity to complete.

### **Schools should only sign a Training Plan after speaking with the student, employer and training provider, and are sure it meets all necessary requirements for an SBAT arrangement.**

The school and RTO must ensure that the student is undertaking an appropriate SBAT program and has the capacity to undertake this program.

The student must undertake a minimum of one timetabled day of employment and/or structured training during normal school hours of each school week. The definition of a 'normal school day/week' is determined by the school and, for government schools must be consistent with the advice in the School Policy Advisory Guide.

### **School Endorsement of the Training Plan**

A school representative should endorse the Training Plan for an SBAT only if:

- the SBAT provides for genuine employment that is paid according to an appropriate industrial award and is matched to the training being undertaken
- the student is enrolled in a senior secondary program (VCE or VCAL)
- the student's study, training and work commitments form an integral part of that student's senior secondary learning program and study timetable, and are consistent with the student's career aspiration as outlined in their career action plan, and
- it will not be detrimental to the student's overall education.

When the school signs the Training Plan it undertakes to enrol the student on the VASS so the training specified in the Training Plan can be credited to the student's VCE or VCAL program.

**Training Plans must be endorsed and submitted to the relevant AASN within two months of the Training Contract commencing.**

### **Australian Apprenticeship Support Networks (AASNs)**

AASNs provide information, administration services and support to employers, apprentices and trainees. They facilitate the completion and signing of Training Contracts and assess, approve and process the payment of Australian Government incentives to eligible employers, apprentices and trainees.

They:

- market and promote apprenticeships and traineeships in the local area
- provide assistance to employers, apprentices and trainees, and training providers throughout the duration of the apprenticeship or traineeship
- administer incentive payments to employers and apprentices
- work with state and territory Training Authorities to provide an integrated service, and
- establish effective relationships with Job Services Australia providers, GTOs, RTOs, schools, NSSPs and community organisations.

More information about AASNs can be found at: <http://www.australianapprenticeships.gov.au/>

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## **Step 3: Implementation**

### **The student undertakes their senior secondary program, employment and structured training.**

The school must ensure the student is enrolled in the qualification being delivered through the apprenticeship or traineeship pathway and entered appropriately onto VASS.

The student should only be enrolled in UOCs the RTO expects they will complete in the current year of delivery (with results being made available in time for the end of year results for processing by the VCAA). Remaining UOCs will be entered on VASS the following year when they are expected to be completed.

### **Reporting**

The RTO should report completion of assessments to the school as soon as possible and no later than the date advised each year determined by the VCAA for inclusion on the student's senior secondary statement of results lodged via the VASS system.

Schools should confer with the Employer and RTO to establish appropriate and regular reporting mechanisms for student attendance between the school, employer and RTO. The school must monitor and report unsatisfactory attendance for other VCE or VCAL classes as part of the student's assessment process.

## Risk to Student

Failure to either identify a student at risk of non-completion and/or to report results, may affect the student's ability to complete their SBAT. This may impact on completion of their VCE or VCAL program, and any contribution to the student's ATAR.

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## Step 4: Changes to the Training Contract

Changes to the Training Contract may be required from time to time for various reasons. These might include:

- Cancellation of an SBAT
- Illness or injury
- Time-off work
- Changes to RTO qualifications, units or training packages.

If there is a variation to an apprenticeship training contract, an Application for Approval to vary a Training Contract must be completed by the employer and apprentice and then submitted to an AASN. This application is sourced from the VRQA at: <http://www.vrqa.vic.gov.au/apprtrain/Pages/trncontrain.aspx>

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## Step 5: Completion of an SBAT

The RTO is responsible for issuing the appropriate qualification to the student when the structured training is completed, and the employer acknowledges that the student is competent 'on the job'.

Final results for students who have completed units of competency must be provided to the school by no later than the final date advised by the VCAA each year.

At the end of an SBAT the student may explore pathway options that lead to continued employment and/or completion of further training.

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## Step 6: Student Support

Vocational training is a formally agreed school activity/subject and is of equal value and importance to other subjects delivered/undertaken. A student's failure to treat workplace and training requirements as equivalent to an 'in-school timetabled activity/subject' could affect their VCAL or VCE.

### Help for Students

Most students enjoy their training but sometimes problems arise.

For a student experiencing a problem or issue, the Department's website provides advice on the following common concerns that may be relevant:

- I am not happy with my training
- I am being bullied, harassed or discriminated against
- I think I am being underpaid
- I think my workplace might be unsafe
- My employer says my work is not good enough
- I want to terminate my Training Contract.

The advice can be accessed at:

<http://www.education.vic.gov.au/training/learners/apprentices/Pages/problems.aspx>



### **Concerns relating to Bullying, Harassment and Discrimination**

The school should ensure that the student understands their right to a safe working/training environment free from bullying, harassment and discrimination, is aware of how to recognise abuse or other risks to their safety, and has the skills and confidence to raise concerns, make complaints or let someone know they feel unsafe.

Both in the workplace and at any training activity the student must not engage in conduct that may constitute bullying, harassment, discrimination or conduct that may pose a risk to the health and safety of other students or his/her colleagues.

### **Attendance**

The student (or parent/guardian) must advise the school, employer or RTO if the student is unable to attend work or training. Unexplained absence could result in a loss of wages or failure to meet the work requirements of the SBAT.

The student must undertake the training as specified in the Training Plan.

The student is obliged to attend all scheduled workplace hours and to follow all lawful and reasonable instructions of the employer. Failure to comply may breach the terms of the Training Contract and affect the student's ability to complete the qualification within the agreed schedule.

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# SECTION 6: FREQUENTLY ASKED QUESTIONS

## **What is the minimum number of employment and training hours for SBATs?**

SBATs are to be undertaken by the student at an average of 13 hours a week for employment and training over each four-month period.

## **What hours of training and employment should an SBAT student undertake?**

SBAT students must undertake at least seven hours of employment and six hours of training a week, which may be averaged over three periods of four months in each year of the program. Training should be averaged over three periods of four months duration in each year of the Training Contract.

## **What are the definitions of the ‘normal school week’ and ‘normal school hours’?**

The School Policy and Advisory Guide states that:

“Schools must provide at least 25 hours’ student instruction per week. The school day is generally between 8:30am and 3:30pm, however specific times are determined locally based on factors such as bus schedules, links with other schools and organisation of the school day...”

The above statement clarifies conventional school operating hours, but recognises that each school is responsible for determining its own ‘normal school week’ and ‘normal school hours’. RTOs should consult with the school at which the prospective school-based apprentice or trainee is enrolled for clarification of what constitutes ‘normal school hours and week’, in order to ensure that the SBAT program satisfies structured training and employment requirements.

## **What happens if an employer cannot offer a school-based apprentice or trainee any work during ‘normal school hours’?**

The requirement that a school-based apprentice or trainee spend a minimum of one day during the normal school week in employment or structured training allows for students to undertake a combination of employment and/or training.

If the only time a student can obtain employment as part of their apprenticeship or traineeship is outside of ‘normal school hours’ (i.e. in an industry that only operates in the mornings or evenings, for example bakeries, horse-racing stables or some hospitality arrangements), the student is permitted to undertake their employment at such times but must then complete at least one day of structured training per week during ‘normal school hours’ to fulfil the SBAT requirements.

RTOs should contact the school at which the school-based apprentice or trainee is enrolled to find out their normal school hours.

## **Can school-based apprentices and trainees be employed over the summer break and other school holiday periods?**

A school-based apprentice or trainee’s employment and structured training obligations may be averaged over three periods of four months in each year of the program. This allows for employment to be undertaken in school holiday periods.

Regardless of the amount of employment undertaken in school holidays, school-based apprentices and trainees must still have at least one day of each school week during normal school hours timetabled to be spent on the job or in structured training. The requirement that the study, work and training commitments of the SBAT form an integral part of their senior secondary learning program and study timetable still stands.

## **Do students undertaking an SBAT have to be enrolled in a senior secondary program (VCE or VCAL)?**

In order for the Training Contract to be registered with the VRQA as an SBAT, a school representative is required to sign the student’s Training Plan to acknowledge that the student is enrolled in a senior secondary program (either VCE

or VCAL) and that it forms an integral part of the student's learning program and study timetable. Training Plans are then lodged with the AAC to finalise the SBAT arrangement.

### **When should the school sign and endorse a Training Plan?**

Schools should endorse a Training plan only when satisfied that:

- their student is undertaking the SBAT within their VCE or VCAL certificate
- the SBAT is integrated into the student's school-based learning program, study timetable and career action plan
- genuine paid employment under an appropriate industrial award has been offered by an employer, accepted by the student and evidenced through a signed Training Contract. This includes confirmation of any host employment arrangements
- the training specified is the only training to be undertaken by the student in the current calendar year, and is at an appropriate level, and relevant to their employment
- the training leads to a nationally recognised qualification at Certificate II, III or IV level
- the training complies with an approved training scheme for the certificate being undertaken, and
- the student, employer and RTO have already signed the Training Plan, and the school's endorsement is the last required.

### **Can a student undertake a second SBAT?**

This is possible however, a second SBAT would follow on from the completion of the first one. They could not be undertaken concurrently.

### **Can RTOs access subsidies under the Victorian Training Guarantee (VTG) if the student is enrolled at a school?**

RTOs can access government subsidies under the Victorian Training Guarantee (VTG) only for school enrolled students undertaking an SBAT.

Arrangements involving school students undertaking a part-time apprenticeship or traineeship disconnected from their study program are not eligible for subsidised training under the VTG.

To assist RTOs accessing VTG subsidies, schools must sign a valid Training Plan issued by the RTO and signed by the RTO, employer and student, indicating their endorsement for the training. RTOs should not enrol students on their system until a valid Training Plan has been signed.

# SECTION 7: RESOURCES

## Students

**Pre-apprenticeships** – An up-to-date list of pre-apprenticeship courses in Victoria

<http://www.education.vic.gov.au/training/learners/apprentices/Pages/preapprentice.aspx>

**How to deal with problems or complaints** – Outlines the complaints and grievance process for issues related to SBATs <http://www.vrqa.vic.gov.au/complaints/Pages/default.aspx>

**Department of Education and Training – School Based Apprenticeships and Traineeships**

<http://www.education.vic.gov.au/training/learners/apprentices/Pages/school.aspx>

## Schools

**VRQA** – Call 1300 722 603 and explain the situation to a VRQA staff member. They will decide whether an authorised officer needs to visit the SBAT workplace. They may also tell you whether you need to call another regulator like WorkSafe or the Fair Work Ombudsman.

**Australian Apprenticeships and Traineeships Information Service** – An Australian Government website with information about apprenticeships pathways, industry updates and government initiatives for apprenticeships and traineeships <http://www.australianapprenticeships.gov.au/>

**LLENs** – A website with information about the activities and contact details of the Local Learning and Employment Networks <http://www.education.vic.gov.au/about/programs/pathways/pages/networks.aspx>

**VCAA** – Information relating to the requirements for completion of the VCE or VCAL and the credit that VET qualifications provide <http://www.vcaa.vic.edu.au/Pages/index.aspx>

**VTAC** – Calculating the ATAR and information relating to entry to university, TAFE and independent tertiary colleges <http://www.vtac.edu.au/>

## Employers

**Part-time and school based apprenticeship and traineeship arrangements in Victoria** - Overview of the policy and guidelines for engaging SBATs and part-time apprentices and trainees

<http://www.education.vic.gov.au/training/learners/apprentices/Pages/parttime.aspx>

**Commonwealth Government Incentives to Employers** – An overview of Australian Government subsidies for employers taking on an apprentice/trainee <http://www.australianapprenticeships.gov.au/employer-incentives>

**Group Training Association of Victoria** – Information and contact details for local group training companies <http://www.gtavic.asn.au/>

**Rate Your Training** - Helps employers choose a training provider that meets their business needs. They can compare the opinions of other employers about training providers in Victoria, or share their opinion and rate a training provider they have used <http://www.rateyourtraining.com.au/>

## RTOs

**Training Plan Guidelines for RTOs** – Outlines the purpose of a Training Plan, how to develop the plan, what needs be included in the plan and what the monitoring requirements are

<http://www.education.vic.gov.au/training/providers/rto/Pages/fagplan.aspx>

**Training.gov.au** - The National Register on VET in Australia and is the authoritative source of information on training packages, qualifications, accredited courses, units of competency, skill sets and RTOs <http://training.gov.au>