



Australian Government
Australian Skills Quality Authority

ASQA

Guide to rectifying non-compliance



Introduction

This guide is designed to assist applicants and training providers with identifying, planning, and rectifying non-compliances after a registration assessment, performance assessment (audit), or monitoring activity. This guide will help you plan to address the non-compliances to meet ASQA's set response timeframes.

For self-assurance and continuous improvement, it is important to understand why the non-compliances have occurred. This assists you to improve your systems and practices, return to compliance, and sustain compliance in the future by systematically monitoring, evaluating and continually improving your training outcomes and performance against the standards.

It's important to understand that ASQA cannot advise how you demonstrate compliance. What compliance will look like will vary for each provider, depending on factors including scope of registration, student cohorts and delivery modes. ASQA cannot provide a one-size-fits-all guide to compliance for all training providers. Rather, each training provider has the autonomy to determine the best practices that suit their business model to achieve quality VET outcomes for students.



I have been notified of non-compliance. Now what?

The following will guide you through the journey of identifying, mapping and planning to rectify the non-compliance and submission of evidence via asqanet.

Steps to ensuring ongoing compliance

STEP 1

Review report

Read the report(s) carefully to make sure you understand the non-compliances and where you have been falling short.

STEP 2

Identify underlying cause of non-compliance

Your understanding of the context of your operations – together with the report – should give you an understanding of why the non-compliances have occurred.

There could be several reasons why you have been found non-compliant including: inadequate systems or ineffective system implementation; staff unaware of policies and procedures; ineffective monitoring of assessment practices or third-party arrangements etc.

Steps to ensuring ongoing compliance

STEP 3

Map out non-compliance

Prior to identifying the actions you need to undertake to address the issues of non-compliance, you will first need an understanding of the requirements of the clause or standard. Once you know what is required to ensure ongoing compliance, you can then determine where and how you need to strengthen your practices to deliver on quality VET – including the supporting evidence you will need to provide to demonstrate a return to compliance.

For all non-compliance, you must demonstrate that you have appropriate systems, governance and controls in place that will ensure ongoing compliance.

STEP 4

Create plan

Once you have identified the actions required to return to compliance, you can create a plan that:

- reflects the actions
- details the supporting evidence you need to provide, that demonstrates your actions have addressed the areas of non-compliance in a sustained way
- nominates the personnel required to undertake the tasks, and
- estimates a timeframe of how long each action will take to complete to ensure the submission deadline is met.

Ensure you factor in time to cross-check your evidence with the report(s) prior to submission and include an explanation linking the supporting evidence to demonstrate the actions taken.

Steps to ensuring ongoing compliance

STEP 5

Check-ins

To ensure your return to compliance is progressing with your plan, hold regular meetings with personnel nominated to complete the actions.

STEP 6

Cross-check

Once all actions are complete, cross-check your actions with the report(s) to ensure you have addressed all of the clauses or standards individually and that the actions you have completed are reflective of your plan.

Remember, in the Evidence of Compliance template you must address how you have rectified the non-compliance and what system(s) you have implemented to ensure compliance is maintained.

Conduct checks against the clause or standard to confirm that the documents you have modified or created demonstrate you are now compliant.

STEP 7

Submit

Refer to the Guide to submitting evidence on how to title and prepare your documents to submit in asqanet.

Ensure you have uploaded all intended evidence, as once you have submitted the asqanet portal will close.

Please be aware of the due date as late submissions are unable to be uploaded.

My report(s) state that I do not have a system or my system has not been implemented. What does this mean?

What is a system?

system *noun* /'sɪstəm/

- a set of principles or procedures according to which something is done.

A system documents the organised way an organisation conducts specific activities.

A good system would include policies and procedures, and other supporting documents and tools that inform the way your organisation operates. Your organisation should have an overarching management system, as well as training and assessment systems for each item on your scope of registration.

What does it mean to 'implement'?

implement *verb* /'ɪmplɪmənt/

- to put (a decision, plan, agreement, etc) into effect.

Effective systems contain sufficient and clear guidance for responsible users to action them.

Once you have modified or created your systems, they should be put into action. You can do this through:

- ensuring staff are aware of changes and where they can access policies, procedures and supporting documents and tools
- appropriate training of new staff
- effective records management systems and version control on your documentation
- having a mechanism to keep staff informed of changes.

To ensure ongoing self-assurance and continuous improvement, your organisation should implement:

- internal audits and/or self-assessments
- continuous improvement registers or plans
- feedback from stakeholders (students, staff and industry)
- internal and ongoing professional development to develop capability and maintain currency.

Additional Resources to help address compliance

The ASQA website has guidance and resources to assist providers in meeting their requirements. Including:

- [Users' guide to Standards for RTOs 2015](#)
- [Spotlight On – Focus on compliance](#)
- [Online learning – Information and Guidance for delivering online learning](#)
- [Practical Training and Assessment](#)
- [Guide to determining the amount of training](#)
- [Guide – Developing assessment tools](#)
- [Guide to using other parties to collect assessment evidence](#)
- [Guide to submitting evidence to ASQA](#)

ASQA

asqa.gov.au