Guide to initial ESOS registration

Guide



Version 1.0 | November 2023



Australian Government Australian Skills Quality Authority



(Working together)

Contents

Introduction	3
What is in this guide?	3
Eligibility to become an ESOS provider	3
RTO registration	3
ESOS registration to deliver ELICOS courses	4
Fit and Proper Persons	4
Financial Viability	5
ESOS provider responsibilities and obligations.	6
Ongoing compliance with the ESOS Framework and the VET Quality Framework	6
Co-operation with ASQA	7
Payment of fees and charges associated with registration.	7
Initial ESOS registration requirements	8
Demonstrated ability to be compliant with regulatory and legislative requirements	8
Resourcing requirements	9
Delivery locations	10
Required supporting evidence	10
Additional evidence	13
Scope	13
Industry approvals for certain training products	13
VET accredited courses	13
Restrictions on delivery of Training and Education (TAE) Training Package products	13
Preparing your application	13
Application forms	13
Principal Executive Officer (PEO) Statutory Declaration	14
Providing sufficient information and evidence	14
Choosing training products	15
Working with consultants	15
Submitting your application	15
How we assess initial ESOS registration applications	16
The assessment process	17
Pre-assessment checks	17
Meet your assessor	17
Opening meeting	17
Assessment interviews and site visits	18

Closing meeting	 18
Registration decisions	 18

Introduction

This guide provides information and guidance for people who are considering applying for registration as an Education Services for Overseas Students (ESOS) provider so that they may recruit, enrol, and provide VET courses for overseas students.

This includes applying for registration on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). Registration on CRICOS allows providers to offer courses to overseas students studying, or intending to study, in Australia on student visas.

To protect students, industry, and the community from practices which are disingenuous, or seek to exploit overseas students, we are committed to ensuring that we only grant registration when we are satisfied of both the suitability of people involved in running and managing the organisation, and the organisation's commitment and capability to become a quality ESOS provider.

We apply a rigorous assessment process to applicants wanting to enter the overseas student VET market, and all applicants will have their capability and commitment thoroughly assessed before registration is granted.

What is in this guide?

This guide contains information and guidance about:

- Eligibility to become an ESOS provider
- ESOS provider obligations and responsibilities
- Initial ESOS registration requirements
- Preparing your application
- Submitting your application
- How we assess applications

Eligibility to become an ESOS provider

Before applying to ASQA for initial ESOS registration, ensure that you are eligible to do so.

RTO registration

All ESOS providers who deliver VET courses must also be registered training organisations (RTOs).

ASQA can register the following types of ESOS providers:

- Existing RTOs seeking to offer VET courses for overseas students.
- Organisations seeking initial registration as both an RTO and an ESOS provider for VET courses.

- New or existing RTOs seeking to offer English Language Intensive Courses for Overseas Students (ELICOS) courses, except where the ELICOS course is delivered:
 - by the provider in its capacity as a school
 - by the provider in its capacity as a higher education provider, or
 - under an 'entry arrangement' with at least one higher education provider.

If you are not already an RTO and are seeking initial RTO registration as well as initial ESOS registration, you must meet also meet the eligibility requirements for becoming an RTO. See '<u>How to</u> <u>become an RTO</u>' on ASQA's website for more information.

ESOS registration to deliver ELICOS courses

All ELICOS course providers need to be registered as ESOS providers, but not all ELICOS course providers need to be RTOs:

Proposed Scope	Required registration
ELICOS courses only	ESOS registration
VET and ELICOS courses	RTO registration and ESOS registration

If you are already an ESOS provider registered with ASQA and you want to deliver ELICOS courses, you should submit an application to change your ESOS registration. See the <u>Change</u> <u>ESOS registration</u> page on ASQA's website for more information.

ASQA does not regulate ELICOS courses delivered by an ESOS provider operating as:

- a school—in this case, you should apply to 'the relevant state regulatory body'.
- a higher education provider or as part of a pathway program for entry into a higher education institution—in this case, you should apply to the Tertiary Education Quality Standards Agency (TEQSA).

Fit and Proper Persons

In August 2023, the Government announced the strengthening of rules to ensure that people who own, operate, and manage RTOs meet higher and broader 'fit and proper persons' standards. This is an initiative designed to eliminate the minority of non-genuine operators that profit from students and fail to provide the standards of education and training that students deserve. The Standards for Registered Training Organisations Amendment (Fit and Proper Person) Instrument 2023 was registered on 5 September 2023 and incorporated in an amendment to the Standards for Registered Training Organisations (RTOs) 2015 (the Standards). See the Fit and Proper Person Requirements page on ASQA's website for more information about these changes.

ASQA's assessment of your application will include thorough investigation and scrutiny to determine the suitability of persons who apply for initial ESOS registration. Where there is concern, we may engage with other government agencies to determine if the Principal Executive Officer (PEO), executive officers, high managerial agents, and any person/s who exercises a degree of control or influence over the management or direction of the RTO meet the Fit and Proper Person Requirements. This includes consideration of a person's:

- Compliance with the law.
- Management history.
- Financial record.
- Provision of information.
- Previous conduct and involvements; and
- Additional considerations.

Where ASQA considers information not provided by you that could be relevant to whether you meet the Fit and Proper Person Requirements, ASQA will let you know. You will have an opportunity to see the information and make comment.

During the assessment of your application, you will be asked to demonstrate:

- how your organisation determines whether a person falls under the requirement to complete a Fit and Proper Person Declaration.
- the system your organisation uses to determine whether a person is, or is not, a fit and proper person; and,
- how these processes and mechanisms have been applied to the PEO, executive officers, high managerial agents, and any persons who will exercise a degree of control or influence over the management or direction of the registered training organisation, should it be granted registration.

If we determine that a person or persons do not meet the Fit and Proper Person Requirements, under the Standards, the application may be rejected.

Financial Viability

Any organisation applying for registration with ASQA must demonstrate it has developed the foundations of a sustainable business. At the time its initial registration application is submitted, the organisation must have been independently assessed as a financially viable business entity.

ASQA has authority to assess an organisation's financial viability under legislation, specifically:

- the National Vocational Education and Training Regulator Act 2011 for applicants seeking to become a registered training organisation, and
- the Education Services for Overseas Students Act 2000 for applicants seeking to be listed on CRICOS to offer courses to overseas students.

The assessment of financial viability must be undertaken by the applicant and their nominated accountant before the applicant submits an application for initial registration. This assists applicants to gain a realistic understanding of the financial requirements of becoming an RTO, and an independent assessment of the sustainability of their proposed business, before undertaking the extensive initial registration process.

A 'nominated accountant' is the accountant engaged by an organisation applying for registration. The nominated accountant must be:

- a member of one or more of the following professional bodies: CPA Australia, The Institute of Chartered Accountants in Australia, or The Institute of Public Accountants, or
- registered with the Australian Securities and Investment Commission (ASIC) as an auditor.

Completing ASQA's Financial Viability Risk Assessment Tools requires applicants to:

- answer a series of questions about their organisation's financial viability, including questions about forecasted financial projections, business ratios, and accounting systems.
- provide forecasted financial information for the next 12 24 months.
- provide a declaration certifying the information provided in the pack is valid, and
- provide a declaration from their nominated accountant, certifying the financial viability of the new business entity.

ASQA assesses each organisation's financial viability risk when considering applications for registration. ASQA will use this assessment as one of a range of regulatory checks when making a risk-based consideration about whether the organisation's application is approved.

ESOS provider responsibilities and obligations.

Before applying for initial ESOS registration, you should fully understand ESOS provider responsibilities and obligations.

See the ESOS Requirements page on ASQA's website for more information.

Ongoing compliance with the ESOS Framework and the VET Quality Framework

Once registered, ESOS providers of VET courses must maintain compliance with:

- The <u>Education Services for Overseas Students Act 2000</u> (ESOS Act)
- the <u>National Code of Practice for Providers of Education and Training to Overseas Students</u> <u>2018</u> (the National Code)
- The <u>Standards for Registered Training Organisations (RTOs) 2015</u> (Standards for RTOs)
- <u>The Australian Qualifications Framework</u>
- Fit and Proper Person Requirements
- Financial Viability Risk Assessment Requirements
- Data Provision Requirements
- Obligatory payments to the <u>Tuition Protection Service (TPS)</u>

Assessment of initial ESOS registration applications uses a risk-based approach, evaluating the likelihood of noncompliance with the ESOs Framework and the VET Quality Framework. Should ASQA identify that there is unacceptable risk of noncompliance, applications will not be approved.

Co-operation with ASQA

Providers in ASQA's jurisdiction are responsible for:

- cooperating with ASQA
- ensuring any third-party delivering services on the RTO's behalf is required to cooperate with ASQA.

This includes:

- providing accurate and truthful responses to information requests from ASQA relevant to the registration application
- co-operating during performance assessments and the monitoring of provider operations
- providing information about substantial changes to its operations or any event that would significantly affect the RTO's ability to be compliant with the legislative and regulatory requirements within 90 calendars days of the change occurring.
- providing information about significant changes to its ownership, including notifying ASQA of a change of ownership as soon as practicable **before the change takes effect**.
- retention, archiving, retrieval, and transfer of records.
- providing accurate and factual responses to information requests from ASQA relevant to the delivery of services by third parties, including education agents.

When applying for initial ESOS registration, the information and documentation you provide to ASQA must be accurate, truthful, and authentic. Any information and documentation provided must be an accurate representation of your intended practices. Where it is determined that information or documentation you have provided with your initial ESOS registration application is false, inaccurate, or misleading, your application is likely to be rejected.

Payment of fees and charges associated with registration.

Applicants are required to pay all fees and charges associated with registration as and when due. Registration applications will not be processed by ASQA until all outstanding invoices have been paid.

ASQA fees and charges are detailed on the <u>Current ASQA fees and charges</u> page on ASQA's website. You should familiarise yourself with the ongoing fees and charges associated with ongoing registration so they can be factored into your organisation's financial planning.

To lodge an application for initial ESOS registration, there are two fees that are payable:

Initial registration application fee or Lodgement fee	A lodgement fee invoice is generated and available following submission of your application. Processing of the application is subject to payment of the invoice.	\$600 [*]
Initial registration assessment fee	You will receive an assessment fee invoice when we have confirmed your application is complete. This needs to be paid before your application is assessed.	\$8000 [†]

Initial ESOS registration requirements

Demonstrated ability to be compliant with regulatory and legislative requirements

Applications for Initial ESOS Registration are assessed against the <u>National Code of Practice for</u> <u>Providers of Education and Training to Overseas Students 2018</u> (the National Code), and relevant parts of the <u>Standards for RTOs 2015</u>.

All RTOs, including VET ESOS providers, must maintain compliance with the VET Quality Framework at all times, including:

- The Standards for Registered Training Organisations (RTOs) 2015 (Standards for RTOs)
- The Australian Qualifications Framework
- Fit and Proper Person Requirements (FPPRs)
- Financial Viability Risk Assessment (FVRA) Requirements
- Data Provision Requirements

We use a risk-based approach to assess whether you are adequately prepared to meet the following responsibilities:

- Informing prospective and current learners
- Ethical engagement and management of education agents
- Assessing potential overseas student's English language proficiency, educational qualifications, or work experience
- Formalising student enrolment through written agreements
- Ethically managing overseas student transfers

^{*} Correct at the time of publishing. Please ensure you check up to date information about fees on ASQA's website.

[†] Correct at the time of publishing. Please ensure you check up to date information about fees on ASQA's website.

- Ethically managing overseas student deferments and suspensions of study
- Reporting to PRISMS
- Managing overseas student complaints and appeals
- Providing appropriate support for overseas students
- Ensuring the safety and wellbeing of younger overseas students
- Monitoring and managing overseas student progress and course duration
- Suitable training and assessment strategies
- Recognition of prior learning
- Sufficient and appropriate learning resources and assessment systems
- Sufficient and appropriate facilities and equipment
- Sufficient suitable human resources, including trainers and assessors and support personnel
- Metting the Fit and Proper Person Requirements (FPPRs)
- Financial Viability
- Management of third-party service providers
- Cooperation with the VET regulator

Resourcing requirements

Applicants seeking initial ESOS registration are expected to have access to all required resources for each training product included in their application at the time of submission.

A prospective provider that submits an application is declaring that their organisation is ready to start delivering training immediately. If they are not completely prepared and do not have adequate resources, their application is likely to be rejected.

Resources include, but are not limited to:

- trainers and assessors
- educational and support services
- learning resources
- facilities
- equipment
- assessment systems
- an Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) compliant student management system or data entry tool.

See the <u>Resourcing requirements</u> page on ASQA's website for more information.

Delivery locations

You need to tell us about all delivery locations you intend to use on an ongoing basis.

This includes locations:

- in Australia and offshore
- where third parties deliver VET courses for you on a regular basis.

Delivery location means the location, site, or campus where you will usually deliver training to students.

If you intend to deliver training at your head office or principal place of business, you need to record it as a delivery location as well.

You also need to tell us if you intend to deliver training online.

Required supporting evidence

To demonstrate that you are adequately prepared to commence delivery, you must submit mandatory supporting evidence with your application.

Failure to provide all of the mandatory evidence at the time of submission will result in your application being considered incomplete and ineligible for assessment.

ESOS Provider responsibilities	Required Evidence
Informing prospective and current learners	 Copies of your organisation's intended overseas student marketing and recruitment materials for three training products or courses.
	 Pre-enrolment information which will be provided by your organisation to potential overseas students.
Ethical engagement and	Copies of written agreements with education agents
management of education agents	 Policies, procedures, strategies, and/or tools that your organisation will use to engage with and manage education agents.
Assessing potential overseas student's English language proficiency, educational qualifications, or work experience	 Policies, procedures, strategies, and/or tools that your organisation will use to assess whether an overseas student's English language proficiency, educational qualifications or work experience is sufficient to enable them to enter the course.
Formalising student enrolment through written agreements	 Your organisation's enrolment form(s) including letters of offer and/or written agreements you will use for overseas students
Ethically managing overseas student transfers	 Policies, procedures, strategies, and/or tools that your organisation will use to assess and manage overseas student transfer requests.

ESOS Provider	Required Evidence
responsibilities Ethically managing overseas student deferments and	 Policies, procedures, strategies, and/or tools that your organisation will use to assess, approve, and record deferments and suspensions of studies for overseas
suspensions of study	students.
Reporting to PRISMS	 Policies, procedures, strategies, and/or tools that your organisation will use to maintain and update information in PRISMS.
Managing overseas student complaints and appeals	 Your organisation's complaints and appeals policies and procedures
Providing appropriate support for overseas	 Your organisation's orientation program for overseas students
students	 Policies, procedures, strategies, and/or tools that your organisation will use to identify and support learners with individual learning needs.
	 Evidence of educational and support resources and/or services to meet the needs of the intended learner cohort/s.
	 Policies, procedures, strategies, and/or tools that your organisation will use to support and maintain contact with overseas students undertaking online or distance units of study (if applicable – this does not apply if your organisation will not deliver training and/or assessment online or by distance).
	 Policies, procedures, strategies, and/or tools that your organisation will use to manage critical incidents that could affect the overseas student's ability to undertake or complete a course or cause them harm.
Ensuring the safety and wellbeing of younger overseas students (Only applies if your organisation will accept enrolments for overseas students under the age of 18)	 Policies, procedures, strategies, and/or tools that your organisation will use to manage the accommodation, support, and general welfare arrangements for a student who is under the age of eighteen.
Monitoring and managing overseas student progress, attendance, and course	 Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage overseas student course progress and attendance.
duration	 Policies, procedures, strategies, and/or tools that your organisation will use to manage extensions of course duration for overseas students.
Suitable training and assessment strategies	 Your organisation's training and assessment strategies for overseas students for all proposed scope items.
	Overseas student course schedules/ timetables, including:
	 holiday breaks
	 work-based training (if applicable) ashedulad contact hours per wook
	 scheduled contact hours per week maximum student numbers for each class/location
	 maximum student numbers for each class/location

esponsibilities Required Evented Recognition of prior earning Policies, procedures, strategies, and/or tools that your organisation will use to offer, assess and recording recognition of prior learning (RPL), and grant and record course credit for overseas students. Sufficient and appropriate acilities and equipment Your organisation's learning resources and assessment systems for at least three separate units of competency (required) Sufficient and appropriate acilities and equipment Evidence of your organisation's existing facilities (e.g., photographs, floor plans, lease agreements, title deeds, learning management system contracts, council approval) Sufficient suitable human esources, including rainers and assessors and upport personnel An overview of your organisation's trainers and assessors' resumes and qualifications. Certified true copies of your organisation's trainers and assessors resumes and qualifications. Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors undertake the required professional development. Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors (if applicable). Fit and Proper People Completed Fit and Proper Person declarations or the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation.	ESOS Provider	
earningorganisation will use to offer, assess and recording recognition of prior learning (RPL), and grant and record course credit for overseas students.Sufficient and appropriate earning resources and assessment systemsYour organisation's learning resources and assessment systems for at least three separate units of competency (required)Sufficient and appropriate acilities and equipmentEvidence of your organisation's existing facilities (e.g., photographs, floor plans, lease agreements, title deeds, learning management system contracts, council approval)Sufficient suitable human esources, including rainers and assessors and support personnelAn overview of your organisation's staff and structure.Employment contracts for your organisation's trainers and assessors' resumes and qualifications.Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors (if applicable).Fit and Proper PeopleCompleted Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or people who are not trainers or assessors of people involved in the management or direction of the organisation.Fit and Proper PeopleCompleted Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or organisation uses to ensure the appropriate supervision of people who are not trainers or assessment tool, with supporting documentsWaragement of third-party service providersCompleted fit and Proper Person declarations for the PEO, and/or tother Executive Officers, High Managerial Agents, or people who are not trainers or assessors of people involved in the management or direction of the organisa	responsibilities	Required Evidence
earning resources and issessment systemssystems for at least three separate units of competency (required)Sufficient and appropriate acilities and equipmentEvidence of your organisation's existing facilities (e.g., photographs, floor plans, lease agreements, title deeds, learning management system contracts, council approval)Sufficient suitable human esources, including rainers and assessors and support personnelAn overview of your organisation's equipment (e.g., photographs, purchase orders, inventories, etc.).Certified true copies of your organisation's trainers and assessors.Employment contracts for your organisation's trainers and assessors.Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors undertake the required professional development.Policies, procedures, strategies, and/or tools that your organisation will use to ensure appropriate supervision of people who are not trainers or assessors (if applicable).Fit and Proper PeopleCompleted Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation.Financial ViabilityCompleted financial viability risk assessment tool, with supporting documentsManagement of third-party service providersCopies of written agreements with third-party service providers (if applicable).Co-operation with the VET equilatorDelivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application). <td>Recognition of prior learning</td> <td>organisation will use to offer, assess and recording recognition of prior learning (RPL), and grant and record</td>	Recognition of prior learning	organisation will use to offer, assess and recording recognition of prior learning (RPL), and grant and record
acilities and equipment photographs, floor plans, lease agreements, title deeds, learning management system contracts, council approval) Sufficient suitable human esources, including rainers and assessors and support personnel An overview of your organisation's staff and structure. Employment contracts for your organisation's trainers and assessors. Certified true copies of your organisation's trainers and assessors' resumes and qualifications. Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors undertake the required professional development. Fit and Proper People Completed Fit and Proper Person declarations of the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation. Fit and Proper People Completed financial viability risk assessment tool, with supporting documents Financial Viability Completed financial viability risk assessment tool, with supporting documents Vanagement of third-party service providers Policies, procedures, strategies, and/or tools that your organisation will use to ensure the appropriateness of people involved in the management or direction of the organisation. Financial Viability Completed financial viability risk assessment tool, with supporting documents Management of third-party service providers Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers <td>Sufficient and appropriate learning resources and assessment systems</td> <td>systems for at least three separate units of competency</td>	Sufficient and appropriate learning resources and assessment systems	systems for at least three separate units of competency
photographs, purchase orders, inventories, etc.). Sufficient suitable human esources, including rainers and assessors and support personnel 	Sufficient and appropriate facilities and equipment	photographs, floor plans, lease agreements, title deeds,
esources, including rainers and assessors and support personnelEmployment contracts for your organisation's trainers and assessors.• Certified true copies of your organisation's trainers and assessors' resumes and qualifications.• Certified true copies of your organisation's trainers and assessors' resumes and qualifications.• Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors undertake the required professional development.• Policies, procedures, strategies, and/or tools that your organisation will use to ensure appropriate supervision of people who are not trainers or assessors (if applicable).Fit and Proper People• Completed Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation.• Policies procedures, strategies and/or tools that your 		
rainers and assessors and support personnelChilploynem consists for your organisation's trainers and assessors.Certified true copies of your organisation's trainers and assessors' resumes and qualifications.Certified true copies of your organisation's trainers and assessors' resumes and qualifications.Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors undertake the required professional development.Policies, procedures, strategies, and/or tools that your organisation will use to ensure appropriate supervision of people who are not trainers or assessors (if applicable).Fit and Proper PeopleCompleted Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation.Policies procedures, strategies and/or tools that your organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation.Financial ViabilityCompleted financial viability risk assessment tool, with supporting documentsManagement of third-party service providersCopies of written agreements with third-party service providers (if applicable).Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable).Co-operation with the VET egulatorDelivery Data and Student Sturey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).	Sufficient suitable human	An overview of your organisation's staff and structure.
 Certified true copies of your organisations is trainers and assessors' resumes and qualifications. Policies, procedures, strategies, and/or tools that your organisation will use to ensure that all trainers and assessors undertake the required professional development. Policies, procedures, strategies, and/or tools that your organisation will use to ensure appropriate supervision of people who are not trainers or assessors (if applicable). Completed Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation. Policies procedures, strategies and/or tools that your organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation. Policies procedures, strategies and/or tools that your organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation. Policies procedures, strategies, and/or tools that your organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation. Policies procedures, strategies, and/or tools that your organisation. Policies procedures, strategies, and/or tools that your organisation. Policies procedures, strategies, and/or tools that your organisation. Policies, procedures, strategies, and/or tools that your organisation use to ensure the appropriateness of people involved in the management or direction of the organisation. Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable). Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable).	resources, including trainers and assessors and	
organisation will use to ensure that all trainers and assessors undertake the required professional development.Policies, procedures, strategies, and/or tools that your organisation will use to ensure appropriate supervision of people who are not trainers or assessors (if applicable).Fit and Proper PeopleCompleted Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation.Fit and ViabilityPolicies procedures, strategies and/or tools that your organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation.Financial ViabilityCompleted financial viability risk assessment tool, with supporting documentsManagement of third-party service providersCopies of written agreements with third-party service providers (if applicable)Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable)Co-operation with the VET egulatorDelivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).	support personnel	
organisation will use to ensure appropriate supervision of people who are not trainers or assessors (if applicable).Fit and Proper People• Completed Fit and Proper Person declarations for the PEO, and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation.• Policies procedures, strategies and/or tools that your organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation.• Financial Viability• Completed financial viability risk assessment tool, with supporting documents• Management of third-party service providers• Copies of written agreements with third-party service providers (if applicable)• Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable).• Delivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).		organisation will use to ensure that all trainers and
and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over the management or direction of the organisation.Policies procedures, strategies and/or tools that your organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation.Financial ViabilityCompleted financial viability risk assessment tool, with supporting documentsManagement of third-party service providersCopies of written agreements with third-party service providers (if applicable)Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable).Co-operation with the VET egulatorDelivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).		organisation will use to ensure appropriate supervision of
organisation uses to ensure the appropriateness of people involved in the management or direction of the organisation.Financial Viability• Completed financial viability risk assessment tool, with supporting documentsManagement of third-party service providers• Copies of written agreements with third-party service providers (if applicable) • Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable).Co-operation with the VET egulator• Delivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).	Fit and Proper People	and/or other Executive Officers, High Managerial Agents, or persons who exercise a degree of control or influence over
Management of third-party service providersCopies of written agreements with third-party service providers (if applicable)Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable).Co-operation with the VET egulatorDelivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).		organisation uses to ensure the appropriateness of people
service providers providers (if applicable) Policies, procedures, strategies, and/or tools that your organisation will use to monitor and manage third-party service providers (if applicable). Co-operation with the VET egulator Delivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).	Financial Viability	
organisation will use to monitor and manage third-party service providers (if applicable). Co-operation with the VET egulator • Delivery Data and Student Survey Data Template (only required if your RTO has delivered training for domestic students in the six months prior to submission of this application).	Management of third-party service providers	
egulator required if your RTO has delivered training for domestic students in the six months prior to submission of this application).		organisation will use to monitor and manage third-party
 Signed PEO Statutory Declaration. 	Co-operation with the VET regulator	required if your RTO has delivered training for domestic students in the six months prior to submission of this application).
		Signed PEO Statutory Declaration.

Additional evidence

Your preparedness to commence delivery will also be tested during the assessment process via requests for additional information and documentation. This will include requests to provide evidence of resourcing specific to the training products you applied for, and any other relevant information or documents required by the assessor. When a request is made you will be provided with 5 calendar days to respond.

Failure to produce the requested information and evidence when requested within the specified time and in the requested form is likely to result in your application being rejected.

Scope

Your proposed scope can include vocational education and training (VET) training package qualifications, accredited courses, and units of competency. You can find out more information on training package requirements on the <u>national register of vocational education and training</u>.

Industry approvals for certain training products

Some VET qualifications allow graduates to apply for a licence or work in a specific job role. To add certain training products to your scope of registration you need to show an approval from the relevant industry regulator.

See the Other licensing and registration requirements page on ASQA's website for more information.

VET accredited courses

You need to provide evidence the course owner has given you permission to deliver a VET accredited course. The <u>national register of vocational education and training</u> identifies course owners for each VET accredited course.

Restrictions on delivery of Training and Education (TAE) Training Package products

You need to be registered for at least 2 years to be eligible to apply for certain training products from the TAE Training Package.

See the TAE training package evidence page on ASQA's website for more information.

Preparing your application

Application forms

As of 27 November 2023, all applications for initial registration must be accompanied by a completed Initial Registration Application Form. These forms replace the previous self-assessment tools which are no longer required. All initial registration application forms can be found in the <u>Forms</u> page on ASQA's website.

The table below describes which application forms need to be completed for the different types of application:

Proposed scope items and student cohorts	Provider status	Required Application forms
VET courses for domestic students	No current registration	Initial RTO Registration Application Form
VET courses for domestic and overseas students	Currently registered as an RTO	Initial ESOS registration application form
VET courses for domestic and overseas students	No current registration	Initial RTO registration application form; AND Initial ESOS registration
		application form
ELICOS courses for overseas students	Currently registered as an RTO	Initial ESOS registration (ELICOS) application form
VET and ELICOS courses for overseas students	Currently registered as an RTO	Initial ESOS registration (ELICOS) application form
VET courses for domestic and/or overseas students;	No current registration	Initial RTO Registration Application Form; AND
AND ELICOS courses for overseas students.		Initial ESOS registration (ELICOS) application form

Initial Registration Application Forms collect information and evidence of your organisation's intended practices, which will be considered with other information and supporting evidence available to ASQA to determine if your organisation will be compliant with the ESOS Framework and the VET Quality Framework from the date of registration.

Where ASQA takes account of information not provided by you, ASQA will let you know, and you will have an opportunity to see that information and comment on it.

Once submitted, you will not be permitted to re-submit the application form, so your responses should be complete, truthful, and accurate. If the information you provide in the application form is found to be incomplete, or inaccurate, the application is likely to be rejected. The chances of rejecting the application will be greater if you knowingly provide false or misleading information.

Principal Executive Officer (PEO) Statutory Declaration

A signed PEO Statutory Declaration must accompany all applications.

You can view and download the PEO Statutory Declaration form from the <u>Forms</u> page on ASQA's website.

Providing sufficient information and evidence

To successfully complete the application form, you should ensure that you provide sufficiently comprehensive written responses to all the questions in the application form(s) and provide all the required supporting evidence.

The information and evidence required by the application is the form ASQA has approved as per section 11A of the ESOS Act. That means failure to provide all the required information and documents will result in your application being considered incomplete, and therefore ineligible for assessment.

Choosing training products

When submitting your application, you should ensure that you include all training products your organisation intends to deliver during the first 2 years of its registration.

ASQA expects that you have engaged in sufficient business planning to identify training products which will sustain your business for the first 2 years, and that these have been considered when preparing your organisation's financial planning. As such, ASQA generally does not approve requests to add training products to an ESOS provider's approved scope within the first 2 years of registration.

Working with consultants

It may be useful for you to work with a VET consultant to assist in preparing your registration application.

See ASQA's Guide to Working with Consultants for more information.

Submitting your application

Initial registration applications are submitted in 2 stages:

- 1. Prepare and submit an application for initial registration via the <u>asqanet portal</u>. At this stage, you will be required to upload/enter:
 - Your registration details, including:
 - Your legal entity details (ABN/ACN)
 - Evidence of your legal entity
 - Head office/principal place of business
 - Ownership details
 - Details of people associated with the organisation
 - CEO details
 - Other existing business registrations
 - Type of training organisation
 - Contact details (general enquiries and registration enquiries)
 - Delivery sites
 - Your proposed scope items
 - Any scope-specific evidence

- o Fit and Proper Person Declaration forms
- o CEO Statutory Declaration
- o Financial Viability Risk Assessment tool and supporting documentation.
- Your completed Initial RTO Registration Application Form
- 2. Once your application has been submitted and your lodgement fee has been paid, ASQA will send you an email with a unique link to upload your supporting evidence files.

Once we receive your supporting evidence, we will check to make sure that you have provided all the files you listed in the required evidence table in the application form. If you do not submit all the files you have listed in the table, your application will be considered incomplete.

How we assess initial ESOS registration applications

When assessing initial ESOS registration applications we apply a rigorous risk-based assessment methodology. ASQA will validate claims made in the application form, the accompanying application documentation, and/or the supporting evidence you provide. All applicants will be required to participate in interviews with ASQA to support the assessment process, which may be conducted in person or via teleconferencing.

ASQA's management of your application reflects the guiding principle that applying for registration as an ESOS provider is voluntary. That means the obligation is on you as the applicant to provide ASQA with accurate and complete information it needs to properly assess the application against the regulatory requirements. It also means responding to ASQA's requests about your application including all requests for further information.

We assess applications to determine:

- preparedness to be fully compliant from the date of registration, and
- commitment and capability to maintain compliance in a sustained way over time.

Applicants will be expected to demonstrate that the organisation will be effectively managed by people who have sufficient knowledge of the requirements of the Standards for RTOs 2015 and the National Code 2018. Where owners of the organisation do not have this knowledge, it is expected that they will be supported by people who do.

The assessment process

The assessment process is used to gather and assess application information and covers the three key features shown below.



Pre-assessment checks

Before your application is accepted and referred for assessment, we conduct pre-assessment checks to ensure that your application is valid and complete, with all the required information and evidence.

If your application is incomplete, we will let you know, and you will be given 5 calendar days to providing missing information or evidence. If you do not provide the requested documents within the specified timeframe your application will be invalid and will be withdrawn.

Meet your assessor

Your application will be assigned to an assessor once the assessment fee has been received in full.

Once assigned, your assessor will contact you to explain the assessment process and book in key dates for your assessment.

Opening meeting

The opening meeting takes place after your assessor has familiarised themselves with details in your application.

At this stage the assessor will:

- explain the assessment process; and
- identify and request any additional information or evidence they require to conduct the assessment.

You will be given 5 calendar days to respond with the requested documents.

Assessment interviews and site visits

Once you provide the information and evidence requested during the opening meeting your assessor will conduct a thorough assessment of all the evidence you have provided against the ESOS Framework and the VET Quality Framework. This will be followed by interviews with you and may involve other key people involved in your organisation.

All applicants will be interviewed, and depending on the nature of your application you may be required to participate in more than one interview. During interviews your commitment and capability for providing quality education and training will be evaluated by our assessors to inform risk assessment of your application.

Depending on the scope and circumstances of your application, ASQA may also undertake a site visit.

Interviews and site visits may be conducted either in person, or via teleconferencing. Applicants are expected to be available and participate in all requested interviews and site visits during the assessment period.

During interviews and site visits assessors will ask a range of questions to:

- Deepen their understanding of how your organisation intends to operate.
- Clarify information and evidence you have provided.
- Explore your organisation's ability to be compliant with the relevant regulatory and legislative requirements.

They may also request that you demonstrate access to locations, facilities, and equipment either in person or via video link.

Closing meeting

Once the assessment interviews are complete and the assessor has considered all the information and evidence in your application, they will finalise the assessment outcomes and arrange a closing meeting with you. During the closing meeting you will be informed of the assessment outcomes, including any issues which were identified during the assessment process.

If there are risks associated with your application, you may be offered an opportunity to respond prior to the closing meeting. This will require you to take action to address the risks and submit evidence of having done so within a specified timeframe. Where there are large or complex areas of noncompliance with the Standards opportunities to respond are unlikely to be extended.

After the closing meeting, your assessor will prepare your initial registration assessment report and make recommendations to the decision maker about whether your application should be granted.

Registration decisions

We will let you know the outcome of your application in writing, and you will receive a copy of your assessment report which provides details about the assessment and its outcomes.

If your application is approved, we may approve:

- All courses and course locations in your application.
- Some courses and course locations in your application, but not others.

If we approve your application, you will get:

- A letter to explain your organisation's obligations.
- Details of any special registration conditions.

If you are an existing RTO, we will align your ESOS registration to the expiry date of your RTO registration.

If you are not an existing RTO, we generally grant ESOS registration period of 2 years. This allows us to assess and manage the risk that new providers may present.

If we do not approve your application, we will let you know the reason for our decision.

Your application may be rejected if:

- Information or evidence you provided is found to be false or misleading.
- You failed to provide information or evidence requested by ASQA in the specified time, or in the required form.
- The application did not demonstrate that the organisation will be fully compliant with the ESOS Framework and/or the VET Quality Framework from the date of registration.
- You have not demonstrated commitment and/or capability to deliver quality education and training.
- ASQA determines key people or persons in the organisation not to be fit and proper under the Standards.
- You have not demonstrated to the satisfaction of the regulator that the organisation will be financially viable.

If you disagree with our decision, you may request a review of your decision.