



Australian Government
Australian Skills Quality Authority

ASQA

13 December 2024

Dear *Recipient*,

Notification of decision to cancel a qualification and/or statement of attainment issued to you by the former registered training organisation *Gills College Australia Pty Ltd* (RTO ID 2417, trading as *Elite College Australia* and/or *Sterling Business College*) (*Gills College*).

By notice dated 26 November 2024 the Australian Skills Quality Authority (ASQA) advised you of its intention, under section 56(1)(a) and (d) of the *National Vocational Education and Training Regulator Act 2011* (the NVR Act), to cancel the qualification and/or statement of attainment issued to you by the former registered training organisation *Gills College Australia Pty Ltd* (RTO ID 2417, trading as *Elite College Australia* and/or *Sterling Business College*) (*Gills College*).

That notice also, in accordance with section 57(1) of the NVR Act, invited you to give ASQA a written response to the notice within seven days after the notice was given.

Decision

In accordance with section 58(4)(a) of the NVR Act, ASQA hereby gives you notice that I, as the National Vocational Education and Training Regulator (the Regulator), have made a decision under section 58(1) of the NVR Act to cancel the following qualification(s) and statement(s) of attainment issued to you by *Gills College*:

List qualification(s) and/or statement(s) of attainment

Reason for the decision

ASQA's notice to you of 26 November 2024 stated that as part of the investigation which led to the cancellation of the registration of *Gills College*, ASQA found evidence that the organisation did not provide the training and assessment necessary to ensure students had the skills and knowledge required to be awarded a VET qualification or statement of attainment.

Findings included:

- a) *Gills College* did not implement a training and assessment strategy to enable each student to meet the requirements for each unit of competency in which they enrolled.
- b) *Gills College* did not have sufficient facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment at each delivery location.
- c) *Gills College* did not demonstrate it had a system in place to ensure all trainers and assessors were suitable qualified or experienced.

- d) Gills College did not implement an assessment system that ensured assessment complied with the requirements of the relevant training package and is conducted in accordance with the principles of assessment and rules of evidence.
- e) Gills College did not conduct adequate assessment or ensure that only students who have fully demonstrated competence against all training package requirements have been issued with certification and captured consistent and accurate information about students and training outcomes.

Furthermore, there was evidence that:

- f) Students had been issued certification via recognition of prior learning (RPL) although the provider denied having conducted any RPL assessment during the period of issuance.
- g) Students denied they had studied with the provider at all, although the provider's student management system said it had issued certification to the students.
- h) Students completed qualifications via RPL and said they had not attended classes or undertaken a work placement and were told by the provider it was not necessary to attend classes.

Based on these findings, which were evident during the period in which you undertook training with Gills College, ASQA is satisfied that Gills College **did not provide you with the training or assessment necessary for you to achieve the learning outcomes or competencies required for the qualification(s) and/or statement(s) of attainment issued to you.**

As outlined above, ASQA provided all students with an opportunity to respond. You did not provide a response to ASQA within the specified timeframe, and accordingly ASQA has decided to cancel the qualification and/or statement of attainment issued to you by Gills College based on the evidence described above.

Who made the decision?

The decision was made by me as the National VET Regulator.

When the decision takes effect

This decision takes effect at 12.01 AM on Friday, 20 December 2024.

Reviewable decision

The decision to cancel a qualification is a reviewable decision under section 199 of the NVR Act.

As this decision was made by me as the National VET Regulator, you cannot apply for ASQA to reconsider the decision.

You may apply to the Administrative Review Tribunal (the ART) (formerly the Administrative Appeals Tribunal) for a review of the decision under section 203(2) of the NVR Act.

The ART is an independent review authority that has the power to affirm, vary or set aside ASQA's decisions. The ART aims to provide fair, impartial, high quality and prompt review with as little formality and technicality as possible.

An application to the ART for a review of the decision must be submitted within 28 days, starting from the day you receive notification of ASQA's decision and will usually require the payment of an application fee. Your application to the ART must be submitted in writing using the ART forms available from the ART Registry in your capital city, or from the ART website:

<https://www.art.gov.au/>. Review applications may also be lodged at the Administrative Review Tribunal, GPO Box 9955 in your capital city. You may contact the ART directly by telephone at 1800 228 333.

Publication of the decision

In accordance with the requirements of section 216(1)(a)(vi) of the NVR Act, ASQA will publish this decision. However, ASQA will not include your personal details in the publication.

Important legal obligations

Section 58(2) of the NVR Act requires that you must return your qualification(s) and statement(s) of attainment to ASQA at the address shown below:

Attention: Qualification Cancellations

Australian Skills Quality Authority

GPO Box 9928

BRISBANE QLD 4001

If you received your certificates in a digital format from Gills College, you must return them to ASQA by email: gillsstudents@asqa.gov.au

The documents must be returned to ASQA within 7 days of the date of this notice. If you continue to use your qualification(s) and/or statements of attainment(s) ASQA may take further action and penalties apply.

Yours sincerely,

Saxon Rice
Chief Executive Officer, ASQA
13 December 2024



Statement of Reasons

Former student details

Former student's name	
Client ID	

Decision

Decision made by	Chief Executive Officer
Decision	Cancel, under sections 56(1)(a) and 56(1)(d) of the <i>National Vocational Education and Training Regulator Act 2011</i> , the following VET Qualifications and/or Statements of Attainment issued to the former student by Gills College Australia Pty Ltd (RTO ID 2417, trading as Elite College Australia and/or Sterling Business College) (Gills College).

Reasons for decision

1. This statement of reasons sets out the reasons for the decision ASQA has made as detailed above.

Summary of issues relevant to the decision:

2. ASQA has cancelled the registration of Gills College because it is satisfied that:
 - a) Gills College did not implement a training and assessment strategy to enable each student to meet the requirements for each unit of competency in which they were enrolled.
 - b) Gills College did not have sufficient facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment at each delivery location.
 - c) Gills College did not demonstrate it had a system in place to ensure all trainers and assessors were suitable qualified or experienced.
 - d) Gills College did not implement an assessment system that ensured assessment complied with the requirements of the relevant training package and is conducted in accordance with the principles of assessment and rules of evidence.

- e) Gills College did not conduct adequate assessment or ensure that only students who have fully demonstrated competence against all training package requirements have been issued with certification and captured consistent and accurate information about students and training outcomes.

In addition:

- f) Students of Gills College had been issued certification via recognition of prior learning (RPL) although the provider denied having conducted any RPL assessment during the period of issuance.
 - g) Students denied they had studied with the provider at all, although the provider's student management system said it had issued certification to the students.
 - h) Students of Gills College completed qualifications via RPL and said they had not attended classes or undertaken a work placement and were told by the provider it was not necessary to attend classes.
- 3. Based on these findings, which were evident during the period in which the student undertook training with Gills College, ASQA is satisfied that Gills College did not provide the student with the training or assessment necessary for them to achieve the learning outcomes or competencies required for the qualification(s) and/or statement(s) of attainment issued.
 - 4. ASQA provided all students with an opportunity to respond. The student did not provide a response to ASQA within the specified timeframe.
 - 5. This decision reflects the risks posed to industry and the community by the person possessing VET Qualifications or Statements of Attainment for which they have not been assessed as having achieved the required learning outcomes and competencies.

Considerations relevant to the decision

- 6. Under section 58(1) of the NVR Act, after considering any response received within the period specified, if ASQA still considers that the VET Qualification or VET Statement of attainment should be cancelled, ASQA must cancel the qualification or statement.