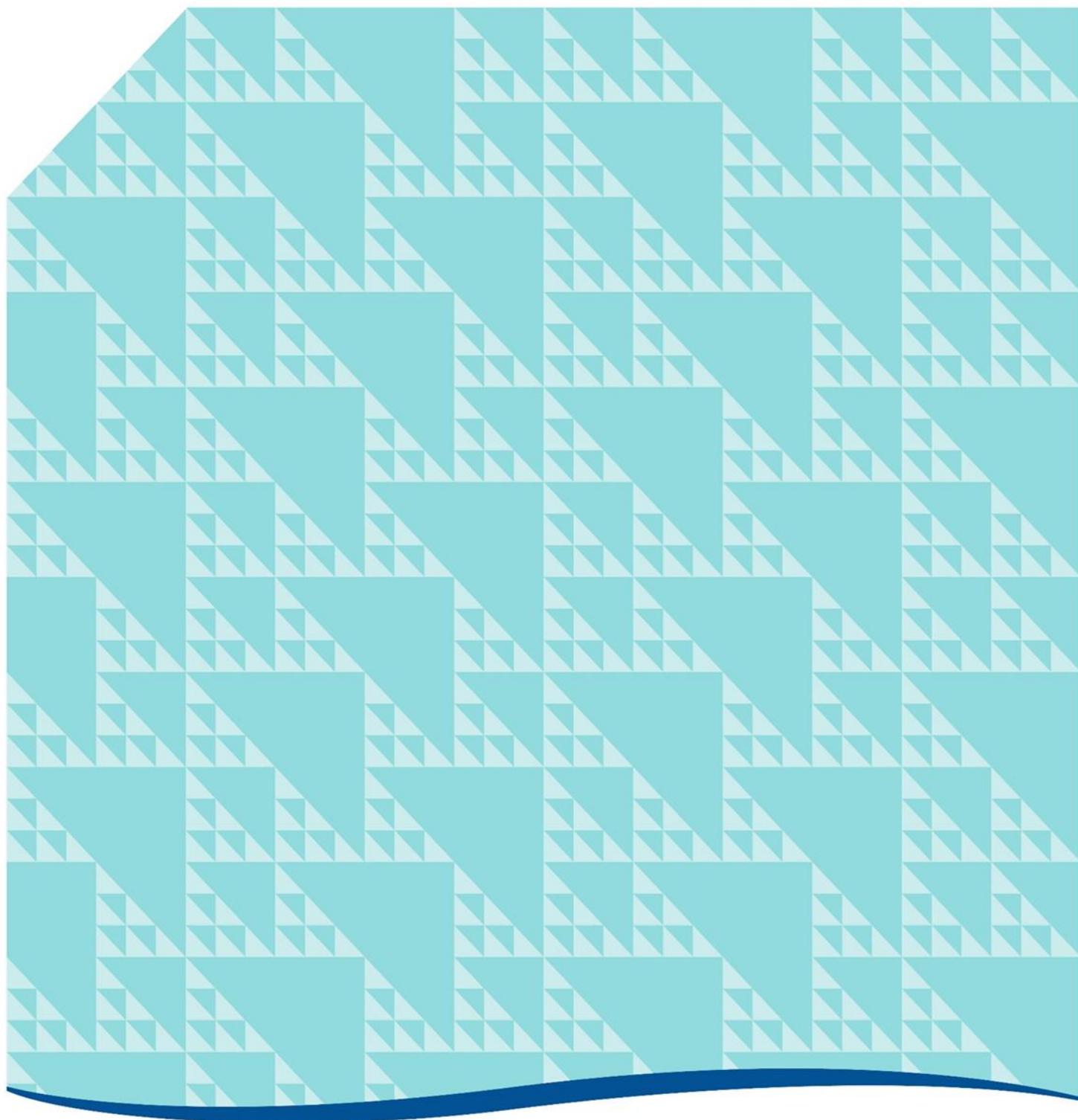


# 2016 User Choice Program

Guidelines



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# 2016 User Choice Program

## Program overview

The Department of State Growth, through Skills Tasmania, (the Department) delivers the User Choice Program to provide a subsidy to a Registered Training Organisation (RTO) of an employer's choice to make a contribution towards the cost of providing training for nationally recognised training and assessment to apprentices and trainees.

While User Choice provides a significant contribution towards the cost of training and assessment services, it is not designed to fully fund training and assessment services. Employer, apprentice/trainee or industry contributions may be required to meet the full costs of training.

To access a User Choice subsidy, or any subsidy from Skills Tasmania for nationally recognised training, the RTO must be approved as a *Skills Tasmania Endorsed RTO*. Information about the endorsement process is available at <http://www.skills.tas.gov.au/providers/rtos/endorsedrtoystem>

The list of qualifications that will be subsidised through the User Choice Program is available at <http://laureldw.stategrowth.tas.gov.au/default.aspx>

To support RTO with the guidelines and application process, a glossary of key terms is available at <http://www.skills.tas.gov.au/funding>

For any other User Choice enquiries, please contact the User Choice Program Manager on (03) 6165 6060 or by email at [userchoice@skills.com.au](mailto:userchoice@skills.com.au)

## Budget

The Skills Tasmania budget is responsive to the needs of employers and industry and aims to subsidise places for as many apprentices and trainees as possible, conditional on the 2016 User Choice Program eligibility criteria being met.

## Submitting your application

Skills Tasmania is encouraging RTOs to apply for the User Choice Program between 27 October and 8 December 2015 (initial subsidy process) to ensure a fair and consistent approach for allocating training places.

Applicants will also be able to apply for subsidies throughout the year. This includes both newly-endorsed RTOs and existing Endorsed RTOs seeking additional training places (if adequate demand can be demonstrated) who applied during the initial subsidy process.

RTOs must be able to demonstrate that they meet the eligibility requirements, subsidy conditions of the Program and that they have the capacity to operate within the requirements of the Skills Tasmania Agreement <http://www.skills.tas.gov.au/funding/2015-2017-skills-tasmania-agreement>

## RTO eligibility

The following conditions determine a RTO's eligibility to apply for subsidies through the 2016 User Choice Program.

### 1. Scope of Registration

RTOs must only submit applications for training subsidies where the qualification(s) is included on their scope of registration for delivery in Tasmania at the time of lodging the application.

Training qualifications are determined by the approved apprenticeships and traineeships list: <http://laureldw.stategrowth.tas.gov.au/default.aspx>

### 2. Skills Tasmania Endorsed RTO Status

RTOs must be approved *Skills Tasmania Endorsed RTO* at the time of the grant round closing date. However further applications will be accepted throughout the year from newly-endorsed RTOs or current RTOs requiring variations to their initial allocation. For more details go to <http://www.skills.tas.gov.au/providers/rto/endorsedrto> RTOs not already endorsed can apply for endorsement using the application form on the Skills Tasmania website: <http://tinyurl.com/ERTOapp>.

Please note: that this process may take up to three weeks for processing.

### 3. Registration

RTOs must be registered in accordance with the requirements of the NVR Standards for Registered Training Organisations (RTOs) 2015 to deliver the relevant qualification/s.

## Learner eligibility

Eligible learners can be new workers, existing employees, year 10, 11 and 12 school students and previously qualified apprentices and trainees. Rules on learner eligibility are as follows:

### 1. New workers

- 1.1 New workers are those that have been employed as an apprentice or trainee who have been employed by the employer for less than three months full-time or twelve months part-time or casual. Priority for the 2016 User Choice Training Subsidy Program will be given to new workers.
- 1.2 If an employee (including an apprentice or trainee) has had a break in employment of six (6) months or more from their employer, they are deemed to be a new employee.

### 2. Existing employee eligibility

- 2.1 Existing employees may also be eligible to receive subsidies for their training and assessment.
- 2.2 An existing employee is an individual who has been employed for more than three (3) months on a full-time basis or more than 12 months on a part-time or casual basis by the employer with whom he/she is entering into a training contract.
- 2.3 A school student as defined under the [Education Act 1994 \(Tasmania\)](#) is not considered to be an existing employee even if they meet the definition outlined in 2.2.

- 2.4 An individual progressing from a lower AQF level to a higher AQF level under a training contract will not be deemed an existing employee if a new training contract is entered into within 12 months of the completion of the previous training contract and may be eligible for User Choice subsidies. This applies whether the higher level qualification is in the same field or a different field; provided that at the time the first training contract was signed the apprentice or trainee was a new employee as defined in this section.
- 2.5 However, if the previous training contract was cancelled, the sign up in the higher level qualification is not regarded as a progression.

### 3. School-based apprenticeships and traineeships eligibility

- 3.1 School-based apprenticeships and traineeships have been designed to allow young people to commence employment-based training while completing year 10, 11 and/or 12 of their education.
- 3.2 The availability of an apprenticeship or traineeship as a school-based apprenticeship or traineeship is indicated at <http://laureldw.stategrowth.tas.gov.au/default.aspx> as a 'School Based Pathway'.
- 3.3 As far as possible, the criteria relating to apprenticeships and traineeships will also apply to apprenticeships and traineeships in schools.

### 4. Previously funded apprentices and trainees

- 4.1 Applicants must ensure that they do not seek funding for an apprentice or trainee and who has a prior, higher (or same) level qualification, in a related field that has been publicly subsidised within the past five years, either in whole or in part.
- 4.2 Applicants may seek a User Choice subsidy for an apprentice or trainee who received subsidised training within five years if:
  - a subsequent version of the qualification is considered a new qualification due to significant changes and/or additions and becomes the industry benchmark of essential skills and knowledge for that industry.
  - there have been significant changes to the industry such as major changes to technology, the industry or the government, as opposed to individual employers, specifies that staff are required to update/refresh their qualifications.
  - the training subsidy sought is in an unrelated field to any previous training.

## Subsidy conditions

1. RTOs may only seek subsidies for qualification/s that are on their scope of registration at <http://training.gov.au> and are subsidised by the Department. Please check the Tasmanian Apprenticeships/Traineeships List to identify which qualifications are subsidised and the amount of the subsidy at <http://laureldw.stategrowth.tas.gov.au/default.aspx>
2. RTOs must ensure that all apprentices and trainees who receive a subsidised training place with your RTO are eligible for that subsidy\*<sup>1</sup>. You can check the eligibility criteria via the User Choice Guidelines here: <http://www.skills.tas.gov.au/funding/userchoice>
3. RTOs shall provide the learner with training and/or assessment services for all core and elective units and other requirements of the relevant training package, as well as all obligations deemed necessary by Skills Tasmania to deliver quality training outcomes. Skills Tasmania may request other obligations to further support quality training outcomes.
4. The first reported training activity start date for the apprentice or trainee shall be within the scheduled commencement and end date as outlined in the application.
5. The RTO accepts that Skills Tasmania reserves the right to negotiate and pay:
  - a reduced subsidy amount where delivery of training is to multiple apprentices or trainees in the same organisation for the same qualification. This includes enterprise RTOs.
  - the level of subsidy for apprenticeships or traineeships
  - the number of training places requested by a RTO.
6. RTOs agree to meet all reporting obligations, including the appropriate and timely lodging of Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) data.
7. New User Choice subsidised training places will only be provided for training that commences in 2016.
8. Additional places may be negotiated subject to verifiable demand and priority. If applicants are applying for a large number of training places, Skills Tasmania may request further evidence to verify there is reasonable demand for the training places.
9. The rate of subsidy, as well as any costs incurred by the employer, must be communicated to the employer by the RTO.

The specifications of the training that has been funded are described in the nationally recognised training packages, which detail the units of competence, qualifications and assessment requirements. The RTO, by its application, expressly authorises the Australian Skills Quality Authority (ASQA) to release information to Skills Tasmania, Department of State Growth, regarding the RTO's registration status, including the results of any recent audits and subsequent sanctions that may have been applied.

### Subsidised training places

User Choice subsidies are allocated to RTOs per training place. That means the amount of subsidies requested by a RTO will be the number of training places multiplied by the published price of that qualification, available at <http://laureldw.stategrowth.tas.gov.au/default.aspx>

## Training commencement

Applicants may request subsidies at any time throughout the calendar year to deliver training for apprentices and trainees who commence training in a qualification in 2016.

## Applying to the User Choice Program

To be considered for a User Choice subsidy you will need to confirm your Endorsed RTO status and complete the Application Form, being sure to address all of the criteria.

You must make sure that all information provided is accurate and verifiable by the Department.

### Applying for places

You are strongly encouraged to only apply for the User Choice places that you need.

Further places may be negotiated through the variation process if you can verify your need for places with evidence. Evidence may include a letter from an employer or other contractual arrangement.

Skills Tasmania will also implement a process that allows eligible new employees entering into a training contract to have a guaranteed place. This process will be administered separately through the lodgement and approval of a training contract which will be supported by the RTO signing a training program outline.

The Department may audit your RTO to ensure that allocated training places are being used or will be used.

Where trend data reveals that allocated places remain unfilled, and there has been no effort to communicate the matter with the User Choice Program Manager, the results of the audit will be recorded against your Endorsement status and may result in reduced future allocations from Skills Tasmania and/or influence quality assessment under other Skills Tasmania programs.

You may apply for more than one qualification per application.

### Applying for 'open market' or 'employer specific' training places

An RTO may apply for 'open market' or 'employer specific' training places.

An 'open market' application may be made when the RTO is operating or seeking to operate with a range of employers and learners.

An 'employer specific' application may be made by a RTO who has established a relationship with a particular employer or employers where they can or will be able to determine the workplace needs, workforce development plans, skills gaps and training needs of the employer/s and structure a specific, targeted training and assessment program for these employers and their multiple apprentices/trainees.

Skills Tasmania reserves the right to require additional information to demonstrate eligibility to apply for 'employer specific' training places.

### Submitting your application

To receive subsidies through 2016 User Choice Program you must complete the application form available at <http://www.skills.tas.gov.au/funding/userchoice> and email it to [userchoice@skills.tas.gov.au](mailto:userchoice@skills.tas.gov.au)

If you require any assistance in completing this application form, contact Skills Tasmania on (03) 6165 6060 or email [userchoice@skills.tas.gov.au](mailto:userchoice@skills.tas.gov.au)

## Assessment

Applications for the 2016 User Choice Training Subsidy Program will be assessed against the eligibility criteria. Each applying RTO is required to provide a completed application form and satisfactory evidence against the following assessment criteria:

- **Criterion 1:** The Endorsed RTO must demonstrate how it will provide both training and assessment services to apprentices and trainees using methods that have been identified to meet the needs of both the learner/s and the employer.
- **Criterion 2:** The Endorsed RTO must demonstrate that it has existing relationships with Tasmanian industry/employers in relation to the qualifications applied for, and that each Tasmanian industry/employer/s is satisfied with the training and assessment services provided by the RTO.
- **Criterion 3:** The Endorsed RTO must demonstrate the strategies it will use to identify the support needs of each learner and describe how that support is provided.
- **Criterion 4:** The Endorsed RTO must demonstrate that it has strategies in place for ensuring and maintaining industry currency for trainers and assessors delivering the qualifications applied for.

### Priority

User Choice has a limited pool of funding. Applications will be prioritised on their ability to support job growth for apprentices and trainees and training places in industries with a demonstrated need for skills for growth. Further priority will be given to support productivity improvement as it leads to business growth and job creation.

### Timeframes

Post the initial subsidy process, Skills Tasmania aims to administer Grant Deeds to successful applicants within 20 business days. This 20 day turnaround begins once the applicant has provided all information required by Skills Tasmania. More than 20 days may be required if Skills Tasmania is experiencing an influx of applications.

It is expected that applicants who provide their application by 8 December 2015 will receive their User Choice Contract in prior to Christmas or early in January 2016.

## Successful applicants

### Responsibilities for successful applicants

RTOs are the recipients of User Choice Program subsidies and are responsible for the delivery of training and assessment services.

If successful for a User Choice Grant, your 2015-2017 Skills Tasmania Agreement will need to be executed as a Deed (if it is not already) and your organisation will receive a copy of your User Choice application with

the number of training places and level of subsidy for you to accept and sign. This signed application will then be bound as a Schedule to your Skills Tasmania Agreement.

You will then need to, sign and date the application form and return it to:

2016 User Choice Program  
Skills Tasmania  
GPO BOX 536  
HOBART TAS 7000

You will not receive any funding until you have a current Skills Tasmania Agreement.

The conditions for subsidising the training places you have been allocated will come into effect on the date the Grant Deed is executed by both parties. Training subsidies will not be provided retrospectively to the execution of the Agreement.

Where an applicant commences delivery of training prior to written notification of its success and the execution of the Grant Deed, it does so at its own risk.

Successful applicants can also apply for subsidies throughout the calendar year for new apprenticeship and traineeship qualifications not included in their original agreement by making an additional application to the 2016 User Choice Program or any other Skills Tasmania funding round they in which they are eligible. Funding allocation is not guaranteed.

### Variations

If deemed necessary, Skills Tasmania may agree to vary a RTO's Grant Deed. This may occur if upgrades to the funded training packages are required, or if a need arises for additional places for approved qualifications. All variations will be subject to an application and approval process and subject to the limits of the available User Choice budget.

### Payments and reporting

Payment and reporting requirements are outlined in the Skills Tasmania Agreement  
<http://www.skills.tas.gov.au/funding/2015-2017-skills-tasmania-agreement>

Payment will be made on units of competency using the approved nominal hours as defined by Skills Tasmania. These hours are available at <http://laureldw.stategrowth.tas.gov.au/default.aspx>

The amount payable per unit will be determined by the outcome code reported in the AVETMISS data submitted.

RTOs may be required to submit evidence to Skills Tasmania to support claims for payment. Further information on Payments and Reporting for Publicly-Subsidised Training is available at <http://www.skills.tas.gov.au/funding/paymentandreporting>

Organisations that receive subsidies are also required to complete a Final Report template that will be provided by Skills Tasmania. Information gathered from all reports will be used to evaluate the User Choice Program and for Skills Tasmania reporting requirements (including the Department's Annual Report, grant program evaluation and financial management).

The Final Report must include a financial statement outlining how funds were spent. Organisations may also be required to complete a Statement of Compliance declaring that the grant has been spent in accordance with the grant application and agreed purpose of funding.

If your organisation has received \$50 000 or more from the Department of State Growth, including Skills Tasmania, in any financial year, an audited financial statement must be provided to the Department.

### Publishing details of successful grant applications

The details of all successful applicants, including the amount of the grant they receive, will be made publicly available at <http://www.skills.tas.gov.au/learners/subsidisedcourses>

### RTO Audit

Skills Tasmania may audit an RTO at any time in relation to their conditions and obligations under the Skills Tasmania Agreement.

## Unsuccessful applicants

Applicants will be deemed unsuccessful if they cannot meet all of the eligibility requirements outlined in these guidelines and/or do not adequately address the assessment criteria.

Unsuccessful applicants may apply for feedback on their application and may be eligible to apply again to the 2016 User Choice Training Subsidy Program when appropriate amendments and arrangements are in place.

### Grievance Procedures

Grievance appeals related to funding may arise from decisions relating to:

1. approval of qualifications to become subsidised apprenticeships and traineeships;
2. contract arrangements with Skills Tasmania; and
3. eligibility of apprentices or trainees for User Choice subsidies.

Skills Tasmania will:

1. attempt to resolve all grievances within a reasonable time
2. comply with natural justice criteria
3. maintain client confidentiality at all times.

For more information about grievance procedures go to [www.skills.tas.gov.au/skillstas/about/complaints](http://www.skills.tas.gov.au/skillstas/about/complaints)

### Relevant legislation and policies

All Tasmanian Government grants are to be administered in accordance with Grants Management Framework, outlined in Treasurer's Instruction TI.709. An overview of TI.709 is provided at [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)

Personal information will be managed in accordance with the *Personal Information Protection Act 2004*. Information provided to Skills Tasmania is subject to the provisions of the *Right to Information Act 2009*.

You can view the abovementioned Acts in full on the Tasmanian Government legislation website at [www.thelaw.tas.gov.au](http://www.thelaw.tas.gov.au)



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