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Introduction

The ACE Program aims to promote access and increase vocational education and training outcomes for those who experience significant barriers to training and employment. It is designed to target Disadvantaged Students, and students in Regional and Remote communities in NSW. The ACE Program provides funding towards training up to and including Certificate III level.

The ACE Program will also offer support to small business owners and their staff by providing fully subsidised accredited and non-accredited training in targeted courses in information technology, business services or foundation skills. This category is referred to as Targeted Skills for Small Business (**TSB**).

Further information on the ACE Program can be found at <https://www.training.nsw.gov.au/ace/index.html>.

These Guidelines

These ACE Provider Operating Guidelines (1 July 2021 - 30 June 2022) are part of the ACE Provider Contract and should be read in conjunction with the ACE Provider Contract Terms and Conditions, the Activity Schedule(s) and the Offer Letter.

These ACE Provider Operating Guidelines may be added to, amended or replaced from time to time.

1. Marketing and Information

1.1. Marketing of ACE Program

The ACE Provider can only market, publicise or otherwise communicate in connection to an ACE Program in accordance with these ACE Provider Operating Guidelines.

All marketing, promotional, communication and information materials used by the ACE Provider related to an ACE Program must display the ACE Provider's legal name and code as displayed on the national register at training.gov.au.

The ACE Provider must develop and implement strategies for the effective marketing and promotion of the ACE Program including all of its Funded Training. These strategies must not rely solely on activities undertaken by the Department.

Record keeping obligation: The ACE Provider must keep a copy of these strategies and all marketing and promotion materials to demonstrate implementation of the strategies.

The ACE Provider must take steps to ensure that any Prospective Student, who may be reasonably considered to be an Eligible Student, is properly informed about the availability of Funded Training. This must be done as soon as practicable after the Prospective Student contacts the ACE Provider.

1.2. Department's intellectual property

The ACE Provider may not use any logo, product names, icons, trademarks or other intellectual property of the Department, or the NSW Government, including in connection with the ACE Program without written permission from the Department and subject to any guidelines that are issued from time to time.

1.3. Acknowledgement of source of subsidies and restrictions on promotion

The ACE Provider must explicitly acknowledge in marketing and information for Prospective Students the availability of funding from the NSW Government.

In any communications about the ACE Program, the ACE Provider must use the statement:

'This training is subsidised by the NSW Government.'

The ACE Provider cannot suggest, or allow there to be any misunderstanding, that the Funded Training is 'free of charge', discounted or subsidised by the ACE Provider or any other third party.

The ACE Program will enable students to select an ACE Provider based on considerations regarding quality, not price. The ACE Provider must not, and must ensure that its agents and contractors do not, market, publicise or otherwise communicate information about the training or engage in any other conduct that may have the effect of encouraging students to choose an ACE Provider based on price or other inducements (including any financial or other benefit).

This includes the following types of inducements, including any gift, financial or other benefit:

- (a) the provision of an electronic device (e.g. tablet or an iPad) that is not specifically required to receive the Funded Training;
- (b) an inducement to enrol by a particular date; or
- (c) an inducement to refer any students to the ACE Provider.

1.4. ACE Provider website

The ACE Provider must maintain a current and accurate website. The homepage of the ACE Provider's website must contain a direct link to the Training Services NSW website.

The ACE Provider's website must also include the following:

- (a) details of the ACE Provider's enrolment process including:
 - (i) the information and evidence that the student must provide (such as, all consents and declarations the student must make); and
 - (ii) details of when such information and evidence is required as set out in Schedule 2 of these ACE Provider Operating Guidelines;
- (b) the process for obtaining a Unique Student Identifier; and
- (c) the Student Information in accordance with paragraph 6.3.

1.5. Requirement to maintain data

The Department may publish information about the ACE Provider on the Training Services NSW website to inform Prospective Students about the ACE Program. The ACE Provider consents to the Department using information in this way.

Information regarding the ACE Provider which may be published on the Training Services NSW website includes:

- (a) name (legal or trading) and national code;
- (b) website address and logo;
- (c) contact details for general enquiries and specific delivery locations;
- (d) whether the ACE Provider is a VET Student Loans Program Provider;
- (e) delivery sites and regions;
- (f) delivery modes (work based, classroom, online/correspondence or mixed mode);
- (g) attendance modes (full time, part time, block release or flexible (which includes self-paced); and
- (h) indication of the facilities available at the delivery sites (child care, disability access and/or learning resource centre).

The additional data that must be maintained by the ACE Provider but is not published by the Department includes the details of:

- (a) the payment process elected by the ACE Provider, electronic funds transfer or cheque;
- (b) the bank account that payments under the ACE Provider Contract are to be sent to or address to which cheques are to be sent;
- (c) email addresses to receive payment related documents, such as recipient created tax invoices (**RCTI**) and remittance advices;
- (d) the ACE Provider's Representative;
- (e) persons with organisational control of the ACE Provider (such as major shareholders, directors, officers or committee members, members of the board of management, trustees); and

- (i) senior management team (such as chief executive officer, general manager, finance director or financial controller, operations director or manager, chief compliance manager or site, centre or branch managers).

The ACE Provider must notify the Department of any change to the information above.

1.6. ACE Provider's Representative

The ACE Provider must nominate a representative who is the operational point of contact for the ACE Provider and must have the knowledge and information to be able to answer the Department's questions about contract related issues (**ACE Provider's Representative**). The Department will address operational correspondence to the ACE Provider's Representative (with the exception of correspondence relating to matters that have been escalated to the ACE Provider's chief executive officer, RCTIs and remittance advices). The ACE Provider's Representative must have a level of authority to provide any requested information to the Department and to make commitments on behalf of the ACE Provider.

1.7. Authorised Signatories

The ACE Provider will notify the Department of the persons authorised to execute, on the ACE Provider's behalf, the ACE Activity Schedule, and any further Activity Schedule issued (each an Authorised Signatory). The ACE Provider will notify the Department as soon as practicable if an Authorised Signatory ceases to be authorised to act on behalf of the ACE Provider, and will provide all necessary details of the Authorised Signatory's replacement to the Department.

2. Access to Training

The ACE Provider will provide for all Prospective Students all reasonable opportunity to enrol and undertake learning opportunities and outcomes in an environment free from discrimination and harassment.

More information on Australia's anti-discrimination laws can be found at: Australian Human Rights Commission; and www.austlii.edu.au/au/legis/nsw/consol_act/aa1977204/

2.1. Report wellbeing of under 18 year olds

The ACE Provider must report concerns about the safety, welfare and well-being of students in accordance with the *Child Protection (Working with Children) Act 2012*.

2.2. Child-related Screening

The ACE Provider must conduct, as and when required, the appropriate child related employment screening of employees, agents or individuals engaged by the ACE Provider, in accordance with the requirements established by the Office of the Children's Guardian or their successors. The following link provides the process that the ACE Provider must undertake: *Working with Children Check*.

The ACE Provider must adhere to the *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013*.

2.3. Disadvantaged Students

The ACE Provider must make all reasonable effort to make adjustments to support the special needs of Disadvantaged Students. The ACE Provider must inform Disadvantaged Students how they will plan, deliver and assess training to take into account these special needs.

If the ACE Provider does not have the resources to offer a Disadvantaged Student with special needs the support they require, it is the responsibility of the ACE Provider to:

- (a) make adjustments to accommodate the special needs; or
- (b) assist the Disadvantaged Student in locating another ACE Provider who can offer Funded Training that has the necessary resources.

The ACE Provider must comply with the Disability Standards for Education found at: Disability Standards for Education 2005.

Further information regarding Disadvantaged Students is set out in Schedule 2 of these ACE Provider Operating Guidelines.

3. Student Eligibility and Fees

3.1. Student eligibility

The ACE Provider must determine the eligibility of a person to receive Funded Training under the ACE Program by following the steps set out in Schedule 2 of these ACE Provider Operating Guidelines.

3.2. Fees

The ACE Provider must only charge Enrolled Students for Funded Training provided to the Enrolled Student the Fee determined in accordance with Schedule 3 of these ACE Provider Operating Guidelines.

4. Consumer Protection Policy

4.1. Consumer Protection Policy

The ACE Provider must develop and implement their own consumer feedback and complaints handling policies, procedures and systems (the **Consumer Protection Policy**).

The Consumer Protection Policy must:

- (a) be in line with:
 - (i) ASQA requirements under the VET Quality Framework; and
 - (ii) the ACE Provider Contract,
- (b) be clear and accessible;
- (c) set out the student's rights relevant to consumer protection;
- (d) set out how the ACE Provider will manage and respond to queries, complaints or allegations (including any queries, complaints or allegations involving the conduct of any member of the ACE Provider's staff or subcontractors);
- (e) set out how the ACE Provider will ensure timeliness of investigation and response; and
- (f) identify a dedicated consumer protection officer and make their contact details readily available.

4.2. Consumer Protection Information

The ACE Provider must make the following information available to students:

- (a) the Consumer Protection Policy (including the contact details of the consumer protection officer); and
- (b) the contact details for the Department's Customer Support Centre (as provided by the Department from time to time),

(the **Consumer Protection Information**).

5. Fee Information

The ACE Provider must develop and implement its own policies and processes in relation to Fees in accordance with the ACE Provider Contract (the Fee Information).

NOTE: See Schedule 3 of these ACE Provider Operating Guidelines for information regarding Fees.

6. Information Pre-enrolment

6.1. Unique Student Identifier (USI)

- (a) The USI may be used for reporting Training Activity Data to the Department with the consent of the student in accordance with clause 34.4 'Consent' of the Contract Terms and Conditions and paragraph 6.2 below.
- (b) The ACE Provider must:
 - (i) assist students to apply for a USI from the Student Identifiers Registrar (as defined in that legislation) including publishing on the ACE Provider's website, information for students on how to obtain a USI; or
 - (ii) apply to the Student Identifiers Registrar for a USI to be assigned to a student (if authorised by the student to do so).
- (c) The ACE Provider must ensure that every Prospective Student sets their access controls in relation to their USI to allow the Department and the ACE Provider the appropriate levels of access to their USI records.
- (d) The ACE Provider must request the Student Identifiers Registrar to verify that an identifier is the USI of that student prior to using it or providing it to the Department.

6.2. Consent

The ACE Provider must obtain the consent of the Prospective Student to the Department's use of the Prospective Student's information by:

- (a) the Prospective Student signing or electronically accepting a consent form that includes the wording set out in Schedule 1 of these ACE Provider Operating Guidelines; or
- (b) the Prospective Student verbally providing their consent provided that a consent statement is recited to the Prospective Student or is made available for the Prospective Student to read.

If the Prospective Student does not provide their consent, the ACE Provider must not continue to enrol the Prospective Student in Funded Training.

The wording set out in Schedule 1 of these ACE Provider Operating Guidelines has been drafted for the purpose of allowing the ACE Provider to provide personal information collected from students to the Department for use by the Department and other government agencies, including those in other States and Territories in Australia. The disclosure should be in addition to the ACE Provider's other notification and disclosure obligations in relation to privacy and does not relieve the ACE Provider of its responsibilities under the Privacy Act and other applicable privacy laws. The ACE Provider must use the exact wording in the attached form but may incorporate this wording in its own notification/consent forms or use the form as an additional disclosure/consent.

Record keeping obligation: The ACE Provider must keep a copy of every consent provided under (a) and keep a file note or log of every consent provided under (b).

6.3. Student Information

The ACE Provider must ensure that all students considering enrolling in Funded Training receive, or are aware of how to access, certain information, either electronically or in hard copy form before enrolment which is designed to make these students aware of policies relating to their training, including their rights and responsibilities and avenues for complaint (the **Student Information**).

The Student Information must include:

- (a) the Fee Information (see paragraph 5);
- (b) the Consumer Protection Information (see paragraph 4.2);
- (c) how to access support and assistance during the training; and
- (d) contact details for various support services within the ACE Provider (e.g. interpreter services).

7. VET Quality Framework Compliance

The ACE Provider must comply with the requirements set out in the VET Quality Framework, including the standards prescribed by the VET Regulator from time to time.

The ACE Provider must apply the principles within the VET Quality Framework, and keep up to date with any changes to the VET Quality Framework.

8. Industry Engagement Requirements

The ACE Provider is expected to engage with industry, which includes engaging with Employers, industry associations and/or specific enterprises.

8.1. Participating in industry and community networks and partnerships

Industry engagement can be facilitated by partnerships with NSW Industry Training Advisory Bodies, Skills Service Organisations, and employer industry associations, and by consulting at the enterprise or organisation level.

Community engagement can be facilitated by partnerships with community organisations that provide support to, or work for, disadvantaged students in the local community.

The ACE Provider is expected to participate actively in industry and community networks and partnerships to ensure the relevance and quality of their training and assessment services.

Record keeping obligation: The ACE Provider must maintain evidence to demonstrate how it is engaging with industry.

9. Student Support

The ACE Provider must provide a range of student support strategies that will enhance a student's potential to successfully complete their training. The ACE Provider must keep necessary records to demonstrate what support has been provided to students.

10. Training and Assessment Requirements and Validation

10.1. Training and assessment requirements

The ACE Provider must deliver Funded Training that is:

- (a) consistent with the Australian Qualifications Framework qualification type learning outcomes descriptor 'Volume of learning' for each qualification level;
- (b) compliant with the requirements of the relevant Training Package or accredited course and the outcomes of the qualification/accredited course being delivered (including Unit(s) of Competency requirements, entry requirements, co- requisite and prerequisite requirements, employability skills and required trainer and assessor competencies);
- (c) inclusive of assessment strategies, tools and tasks that:
 - (i) are compliant with the assessment guidelines in the relevant Training Package or the assessment requirements in the accredited course;
 - (ii) incorporate the evaluation of sufficient, valid, current and authentic evidence to enable judgements to be made about whether competency or a group of competencies in holistic assessment have been attained;
 - (iii) have clear and sufficient instructions for Enrolled Students (and their Employers if applicable);
 - (iv) have clear and sufficient instructions to guide assessors to make consistent decisions about the competency of the Enrolled Student;
 - (v) address the entirety of the Funded Unit(s)/Module(s) being assessed;
 - (vi) adequately cover both the on- and off-the-job components of the training (and incorporate validation by Employers of the acquisition and application of skills on the job if applicable);
 - (vii) clearly specify the standard of performance required;
 - (viii) cover areas of workplace performance incorporating the dimensions of competency (including task skills, task management skills, contingency management skills, job role/environmental skills and transfer skills);
 - (ix) incorporate a level of difficulty that is appropriate to the Funded Unit(s)/Module(s) being assessed; and
 - (x) have exemplars, benchmarks and/or checklists for use in making the assessment decision;

- (d) in accordance with the relevant Commonwealth, state or territory legislative, regulatory and licensing requirements as relevant to the Training Package or accredited course; and
- (e) consistent with the NSW Recognition Framework.

Recording keeping obligation: The ACE Provider must maintain documents that demonstrate how the training and assessment meets these requirements.

10.2. Non-accredited training

The ACE Provider may deliver Funded Training in non-accredited Funded Units/Modules subject to the following conditions:

- (a) no more than 20% of Commencements by the ACE Provider in an Activity Period can be non-accredited Funded Units/Modules; and
- (b) non-accredited Funded Unit/ Modules must have vocational intent, that is, it should relate to a vocational or employment outcome.

The Unique Student Identifier obtained for the Enrolled Student for the delivery of accredited Funded Units/Modules should also be used for the same Enrolled Student for the delivery of any non-accredited Funded Units/Modules.

10.3. Validation and contextualising of training and assessment resources

Validation of training and assessment resources means checking that the training resources address the requirements of the Funded Unit(s)/Module(s) and Training Package to provide the depth of training required, and that assessment tools produce valid, reliable, sufficient, current and authentic evidence to enable reasonable judgements to be made as to whether the requirements of the relevant aspects of the Training Package or accredited course had been met. It includes reviewing and making recommendations for future improvements to the training and assessment resources, process, and/or outcomes.

Contextualising means the addition of the industry or enterprise/organisation specific information to a Funded Unit/Module to tailor the standard to reflect the immediate operating context and thereby increase its relevance. Contextualisation must be guided by Training Package contextualisation guidelines. Contextualising also means modifying training and/or assessment according to a student's learning needs or preferences.

11. Independent Validation of Assessment Requirements

Independent validation of assessment is important for ensuring quality assessment outcomes that are consistent and meet industry expectations. The ACE Provider is encouraged to engage in independent validation of assessment.

11.1. What is independent validation of assessment?

Independent validation of assessment is a process that ensures that the assessment practices of the ACE Provider are appropriate to the outcomes of training, are consistently applied, meet standards for assessment, and are aligned with industry and Training Package requirements for Unit(s) of Competency. It involves:

- (a) checking:
 - (i) the validity, reliability, sufficiency and currency of the assessment tool;
 - (ii) that assessment strategies meet the needs of industry;
 - (iii) students' assessment tasks to determine whether the requirements of the relevant aspects of the training have been met; and
 - (iv) that assessors are making consistent judgements; and
- (b) reviewing and making recommendations for future improvements to the assessment tool, process and outcomes.

The key aspects of assessment that are reviewed through a validation process are:

- (a) *the assessment process* — policy, enrolments and assessments, recording, reporting and appeals;
- (b) *assessment tools* — specific assessment tasks, instructions for candidates, instructions for assessors, evidence guides, checklists, assessment criteria, rules of judgement, and examples of acceptable responses to, and descriptions of, typical competent performance;
- (c) *evidence of assessment* — for example, third-party reports, observation and simulation;
- (d) *application of assessment tool* — assessors use of the tool; and
- (e) *recognition of prior learning process* — tools and evidence of assessment.

11.2. Who undertakes independent validation of assessment?

Independent validation of assessment is undertaken by individuals or agencies that are independent of the ACE Provider. It can involve industry representatives, other registered training organisations, specialist assessors, and experts in education and assessment.

11.3. What are the benefits of independent validation of assessment?

The benefits of an independent process for assessment validation include:

- (a) obtaining industry acceptance of VET outcomes;
- (b) ensuring assessment strategies meet industry needs;
- (c) gathering feedback to improve assessment processes;
- (d) building assessor confidence and capabilities;
- (e) fostering the development of informal networks;
- (f) facilitating assessor acquisition of up-to-date industry knowledge; and
- (g) assisting assessors to apply consistent standards and make consistent judgements.

12. Professional Development and Continuous Improvement

The ACE Provider must ensure all of its Personnel undertake professional development and continuous improvement and maintain currency of relevant qualifications. The ACE Provider is also required to implement a continuing professional development policy. The ACE Provider should refer to the Teaching and Leadership Policy as a guide, which is available on the Training Services NSW website at https://www.training.nsw.gov.au/smartandskilled/contract_policy.html.

The ACE Provider must also include in their continuing professional development policy, a policy relating to the professional development and continuous improvement of the board of management of the ACE Provider.

Professional development and continuous improvement activities are further described in the standards prescribed by the VET Regulator from time to time and may include:

- (a) organisational governance;
- (b) RTO registration compliance;
- (c) government contract management;
- (d) delivery of specialist student support services (e.g. counselling);
- (e) training to support industry regulations (e.g. training in Child Protection, Workplace Health and Safety);
- (f) training design and delivery;
- (g) assessment and/or recognition; and
- (h) industry collaboration.

Record keeping obligation: The ACE Provider must maintain records of the professional development undertaken by all staff.

13. Record Keeping

13.1. How the Department uses records

The Department uses the evidence and records the ACE Provider collects and keeps, for performance monitoring, audit, verification, research, statistical analysis, program evaluation, post-completion surveys and internal management purposes. It is also used by the Department to report to the National Centre for Vocational Education and Research (NCVER).

These records form part of the evidence to be provided for any performance monitoring activities conducted by the Department. The ACE Provider must also submit such evidence as is required as part of the NCVER VET Non-Financial Audit, which audits Funded Training at a Funded Unit/Module level. Issues raised during the NCVER audit can also inform the Department's performance monitoring activities.

Students must be made aware by the ACE Provider that the information supplied by them (including their personal details and identification) will be used by the Department, and all students must give their consent in accordance with paragraph 6.2.

13.2. Record keeping requirements

The ACE Provider is required to maintain records for all Funded Training and for all Enrolled Students, as evidence of:

- (a) student identity;
- (b) student eligibility;
- (c) Fees including any Fee refunds or Fee Exemptions or Concessions granted;
- (d) Enrolments;
- (e) Credit Transfer;
- (f) Recognition of Prior Learning;
- (g) the delivery of training;
- (h) the assessment of training delivered;
- (i) Certificates, Statements of Attainment and Qualifications issued; and
- (j) any learning support provided to students.

Evidence must be valid, readily accessible, current, sufficient, authentic and capable of verification by the Department. These records can be either soft or hard copy unless otherwise specified.

See Schedule 2: Eligibility of these ACE Provider Operating Guidelines which sets out the specific eligibility requirements based on the type of student and the type of Funded Training being delivered.

13.3. Electronic signatures

If the ACE Provider is to accept or use electronic signatures, the ACE Provider must have evidence:

- (a) that the signature can be properly attributed to the individual that is alleged to have signed; and
- (b) that the individual applied the signature electronically.

This electronic audit trail may be confirmed, for example, through email correspondence. For assessors, a declaration may be applied to the document which states that the assessor applied the signature based on their own determination regarding competence in the task or Funded Unit/Module.

13.4. Training activity records

The ACE Provider is required to retain all training activity records as evidence of the delivery of training and assessment, and outcomes achieved. Training activity records will identify the Funded Unit/Module they relate to and the Enrolled Student they belong to.

13.5. Record keeping for online delivery

Where Funded Training is delivered via online delivery and where, for instance an attendance sheet is not marked, the ACE Provider's online delivery platform must be capable of capturing the details of an Enrolled Student's engagement and Participation in Funded Training. For example, if required the ACE Provider would be able to supply the Department with a report of when, what times and for what Funded Unit/Module an Enrolled Student logged onto the online delivery platform to undertake online learning and/or to complete an assessment task(s).

13.6. Record keeping for delivery by correspondence

Where Funded Training is delivered via correspondence and where, for instance an attendance sheet is not marked, the ACE Provider must retain phone logs, emails, copies of assessments and any other training activities submitted by the Enrolled Student.

13.7. Required length of time

Records must be retained by the ACE Provider in a readily accessible format for a minimum of three (3) years after the latter of:

- (a) the completion of each Funded Unit/Module;
- (b) issuance of Qualification; or
- (c) an Enrolled Student's exit from the Funded Training.

To be clear these obligations are in addition to the ACE Prover's obligations under law.

13.8. Examples of evidence

The table below outlines a non-exhaustive list of records and other evidence that the Department may request from time to time.

Records required for:	Evidence type:
Training Activity	
Attendance	<ul style="list-style-type: none"> Class rolls with dates and signatures confirming attendance Online course attendance records Phone logs and emails in relation to attendance or training, assessments and other training activities submitted
Learning resources	<ul style="list-style-type: none"> Copies of learning materials/resources supplied to Enrolled Students, structured learning guides or navigation tools Records of acknowledgement of receipt of learning materials/resources by Enrolled Student
Support	<ul style="list-style-type: none"> Record of support provided to the Enrolled Student, including primary evidence of support provided, a log and/or file notes in connection with the support provided
Assessment	
Workplace relevance	<ul style="list-style-type: none"> Documents that demonstrate how the assessment meets the requirements of the relevant Training Package and standard of performance required in that particular workplace
Assessment plan	Assessment plan documentation that outlines: <ul style="list-style-type: none"> the Funded Units/Modules the standard of performance/criteria required by the Funded Units/Modules in the workplace; and the assessment strategies/tools/tasks to be used
Completed assessments	<ul style="list-style-type: none"> Completed assessment documentation (e.g. strategies/tools/tasks) for each Unit of Competency or Module for each Enrolled Student, including the evidence used to support assessment outcomes
Assessment progress and/or outcomes for each Funded Unit/Module	A summary record of assessment progress and/or outcomes for each Funded Unit/Module that includes: <ul style="list-style-type: none"> the name and signature of the Enrolled Student the Unit of Competency or Module and its identifier (National Code)

Records required for:	Evidence type:
	<ul style="list-style-type: none"> the actual result which must be consistent with assessment grading (e.g. Competency Achieved/Pass or Competency Not Achieved/Fail) the type of evidence used in the assessment an assessment record that supports Enrolled Student activity in the Funded Unit/Module the date of the assessment the name and signature of the assessor evidence of participation in Funded Training by the Enrolled Student; and the date of participation in Funded Training
Qualifications and Recognition	
Credentials issued	<ul style="list-style-type: none"> Certified copies of credentials issued
Completion details	<ul style="list-style-type: none"> Records of outcomes of Qualifications, Part Qualifications or accredited courses delivered
Recognition of Prior Learning	<p>Records in support of the granting of Recognition of Prior Learning including:</p> <ul style="list-style-type: none"> record of observation of workplace performance, demonstration, simulation records from third parties, e.g. reports from workplace supervisors, references from past and/or present employers, testimonials from clients challenge tests on elements work samples collected and/or documented

14. Reporting Training Activity Data

The ACE Provider must maintain a data housing and reporting system that supports submission of Training Activity Data to the Department as required by the ACE Provider Contract.

The ACE Provider must submit AVETMISS compliant data for all training activity including non-accredited (the most recent and relevant AVETMISS) via the Department's specification until further notice.

The data file(s) to be submitted via email to TS.ACEdesk@det.nsw.edu.au every 3 months as follows until otherwise advised.

Collection Type	Training Activity Data	Submission by the following dates
Interim	1 January 2021 – 30 September 2021	22 October 2021
Annual	1 January 2021 – 31 December 2021	28 January 2022
Interim	1 January 2022 – 31 March 2022	22 April 2022
End of Financial Year	1 January 2022 – 30 June 2022	22 July 2022

Important information to follow before reporting data:

All data files need to be **fully** validated by the ACE Provider prior to submission for each of the reporting periods listed above.

14.1. Checklist for reporting Training Activity Data

The Training Activity Data submitted must include:

- (a) Unique Student Identifier
- (b) details including name, date of birth and gender
- (c) contact details including mobile telephone number and email address should be included
- (d) the qualification national code, all Unit of Competency names and all Unit of Competency national codes for accredited Units/Module enrolment
- (e) program identifiers and subject identifiers for unaccredited Units/Module enrolment
- (f) the start and end dates for each Unit/Module enrolment
- (g) the expected ("Scheduled") hours of Training for each Unit/Module enrolment
- (h) any Credit Transfer or Recognition of Prior Learning
- (i) any other data required to meet the AVETMIS Standard; and
- (j) State Training Authority "Funding Source" code (as set out in these ACE Provider Operating Guidelines or as otherwise stated on an Activity Schedule).

Please refer to Schedule 4 of these ACE Provider Operating Guidelines.

15. Financial Reports

Within 6 months of the end of the ACE Provider's financial year, the ACE Provider must provide a copy of the annual report adopted at the ACE Provider's annual general meeting.

The annual report must contain financial statements that have been audited by an independent auditor and not be a member or employee of the ACE Provider. The auditor must be:

- a member of the Institute of Chartered Accountants;
- a member of the Australian Society of Certified Practising Accountants;
- a member of the National Institute of Accountants who holds a current Public Practice Certificate; or
- a Company Auditor who is registered with the Australian Securities and Investment Commission (ASIC).

Financial statements must include a balance sheet, a statement of profit and loss and an auditor's report for the relevant year. The financial statements must be prepared in accordance with accounting standards approved under the *Corporations Act 2001* (Cth).

16. Reporting Total ACE Activity

The ACE Provider will report Total ACE Activity in accordance with the process specified by the Department. Any Total ACE Activity that relates to persons who are not Enrolled Students or to

Training that is not Funded Training must not be "Personal Information" as defined by the *Privacy Act 1988* (Cth).

17. Performance Monitoring

17.1. Purpose of Performance Monitoring

Performance Monitoring will be undertaken by the Department in connection with the ACE Provider Contract and will have the purpose of:

- (a) reviewing information submitted as part of the Application to ensure that the same standard of operations is maintained during the Activity Period;
- (b) reviewing ACE Provider compliance with all terms and conditions of the ACE Provider Contract, including:
 - (i) confirming the eligibility of Enrolled Students and that the correct Fee is charged;
 - (ii) confirming the delivery of Funded Training to Enrolled Students is consistent with the ACE Program Guidelines;
 - (iii) reviewing completeness and accuracy of records, reporting and payments;
- (c) reviewing performance and progress against the Initial Target;
- (d) investigating any complaint received about the ACE Provider;
- (e) informing ACE Provider risk profile;
- (f) establishing benchmarks for continuous improvement and identifying areas for professional development; and
- (g) reviewing performance in relation to performance indicators.

17.2. Methods of Performance Monitoring

Performance Monitoring will be carried out by a variety of different activities, including:

- (a) desk audits, where the Department assesses and reviews information provided by the ACE Provider or obtained from other sources;

Please see paragraph 17.3 below.
- (b) site visits, where the Department attends the ACE Provider's site;

Please see paragraph 17.4 below.
- (c) survey and interviews, where the Department carries out surveys or interviews; and

Please see paragraph 17.5 below.
- (d) internal reviews, where the ACE Provider carries out a review of its own performance.

Please see paragraph 17.6 below.

17.3. Requirement to provide information

The ACE Provider must provide information and documentation to the Department on its request in accordance with the ACE Provider Contract Terms and Conditions.

17.4. Assistance with site visits

If requested by the Department the ACE Provider must, within 7 days of receipt of notice from the Department, allow and facilitate the visit of any person nominated by the Department to the ACE Provider's premises (including, all places where Funded Training takes place and the business headquarters/administrative offices).

During such site visits the ACE Provider must ensure that the Department's nominee is able to carry out any required activity, including:

- (a) inspecting and taking copies of any relevant documents and records;
- (b) inspecting and taking copies of documents relating to the ACE Provider's financial and business affairs, including accounts, governance and any other information verifying or evidencing the ACE Provider's financial standing; and
- (c) carrying out surveys or interviews in accordance with paragraph 17.5 below.

17.5. Surveys and interviews

If requested by the Department, the ACE Provider must allow and facilitate surveys or interviews to be carried out by any nominee of the Department with the ACE Provider and/or its Enrolled Students, employees, executive officers, subcontractors, accountants, bookkeepers, auditors, agents or any other party the Department requests. The ACE Provider must not say or do anything that has the intention or effect of obstructing, hindering, influencing, coercing or interfering with the surveys, interviews or their process in any way.

17.6. Internal review

If requested by the Department, the ACE Provider must conduct an internal review to establish compliance and risks, and to determine where improvements are required to meet the provisions of the ACE Provider Contract. The Department will specify the areas that must be covered in the internal review. Internal reviews must:

- (a) be undertaken in the format that the Department prescribes;
- (b) describe the organisation as it is at the time of the internal review (where so requested);
- (c) contain information that is meaningful, accurate, correct, complete and not misleading in any way;
- (d) be maintained fully with all documentation referenced as supporting evidence;
- (e) where appropriate, reference documentation provided to the Department as part of the internal review by recording the document name, document reference number and version or such other method to allow documentation to be clearly identified;
- (f) set out any identified non-compliances and list the actions that the ACE Provider will undertake to rectify the non-compliances and the proposed timeframes for correction of the non-compliances;
- (g) specify a person who is authorised by the ACE Provider to be the point of contact for the Department in respect of addressing noncompliance and monitoring the progress of remediating the noncompliance; and
- (h) be submitted to the Department in the required format via email to TS.ACEdesk@det.nsw.edu.au within one month of the Department's request.

Record keeping obligation: Internal review records should be maintained by the ACE Provider.

The ACE Provider must update their internal review as any identified non-compliances are addressed, together with appropriate evidence to demonstrate compliance.

18. Change in Control and Assignment of ACE Provider Contract

The ACE Provider may not allow circumstances resulting in a change in Control or requiring an assignment of the ACE Provider Contract without first applying for the written approval of the Department. The Department will request information from the ACE Provider and will notify the ACE Provider whether the approval is granted and, if so, of any conditions applicable to the Department's approval. Any approval will be at the absolute discretion of the Department.

19. Definitions and Interpretation

The Dictionary and Interpretation provisions of the Schedule of the Contract Terms and Conditions apply to these ACE Provider Operating Guidelines. In addition, a reference to a “paragraph” means a reference to a paragraph of these ACE Provider Operating Guidelines.

Schedule 1: Consent Wording

CONSENT TO USE AND DISCLOSE PERSONAL INFORMATION

I _____

(First, middle and last Name)

Of _____

(current residential address)

with date of birth ____/____/____

understand and agree that, under the *National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020*, [**insert name of the Provider**] is required to collect personal information (information or an opinion about me), collected from me, my parent or guardian, such as my name, Unique Student Identifier, date of birth, contact details, training outcomes and performance, sensitive personal information (including my ethnicity or health information) and other enrolment and training activity-related information (together **Personal Information**) and disclose that Personal Information to the National Centre for Vocational Education Research Ltd (**NCVER**).

My Personal Information (including the personal information contained on my enrolment form and my training activity data) may be used or disclosed by [**insert name of the Provider**] for statistical, regulatory and research purposes. [**insert name of the Provider**] may disclose my personal information for these purposes to third parties, including:

- Employer – if I am enrolled in training paid by my employer;
- Commonwealth and State or Territory government departments and authorised agencies, including the NSW Department of Education (Department);
- NCVER;
- Organisations (including the Department) conducting student surveys; and
- Researchers.

Personal Information disclosed to NCVER may be used or disclosed for the following purposes:

- issuing a VET Statement of Attainment or VET Qualification, and populating Authenticated VET Transcripts;
- facilitating statistics and research relating to education, including surveys;
- understanding how the VET market operates, for policy, workforce planning and consumer information; and
- administering VET, including program administration, regulation, monitoring and evaluation.

I may receive an NCVET student survey which may be administered by an NCVET employee, agent or third party contractor. I may opt out of the survey at the time of being contacted.

NCVET will collect, hold, use and disclose my Personal Information in accordance with the *Privacy Act 1988* (Cth), the VET Data Policy and all NCVET policies and protocols (including those published on NCVET's website at www.ncvet.edu.au).

The Department may disclose my Personal Information to other Australian government agencies, including those located in States and Territories outside New South Wales.

The above government agencies may use my Personal Information for any purpose relating to the exercise of their government functions, including but not limited to the evaluation and assessment of my training, the determination of my eligibility to receive subsidised training or for any Fee Exemptions or Concessions. My Personal Information may also be disclosed to other third parties if required by law.

I also acknowledge and agree that the Department may contact me by telephone, email or post, during or after I have ceased subsidised training with **[insert name of the Provider]** for the purposes of evaluating and assessing my subsidised training.

I declare that the information I have provided to the best of my knowledge is true and correct.

I consent to the collection, use and disclosure of my Personal Information in the manner outlined above.

PRINT FULL NAME: _____

SIGNATURE: _____ **DATE:** ____/____/____

Note: If under 18 years of age at the time of giving consent, then the consent of their guardian is required

PRINT FULL NAME OF GUARDIAN: _____

SIGNATURE OF GUARDIAN: _____ **DATE:** ____/____/____

Schedule 2: Eligibility

The ACE Provider must complete the following steps and determine a Prospective Student's eligibility before enrolling that Prospective Student in Funded Training.

Step 1: Determine initial eligibility

To be eligible for Funded Training, individuals must be:

- (a) live or work in NSW (determined by postcode of the usual place of residence or place of work) (see Exception A below); and
- (b) an Australian citizen; or a permanent Australian resident; or a New Zealand citizen; or a humanitarian visa holder or a partner visa holder whose sponsor is a humanitarian visa holder (see 'Refugees and asylum seekers' for more information); and
- (c) be aged 15 years or older; and
- (d) no longer in secondary education - excluding registered home school students. (See relevant sections below for further information).

The eligibility requirements may change from time to time. In addition to this, the Department may, at any time, determine that an individual who does not meet these requirements is still eligible for the ACE Program.

Exception A: Aboriginal and Torres Strait Islander students who do not live or work in New South Wales but live in a specific defined interstate NSW border area are still eligible for training under the ACE Program. A list of these specific defined areas is available at Schedule 5 of these ACE Provider Operating Guidelines.

A student must declare that the information they provide with regards to eligibility is true, accurate, complete and not misleading.

No longer in secondary school

To be eligible for Funded Training, a student must have left school (whether by school education or an alternative pathway in adherence with the NSW School Leaving Age Policy and the NSW Education ACT 1990 (www.austlii.edu.au/au/legis/nsw/consol_act/ea1990104/s21b.html) and the NSW Educational Amendment (School Leaving Age) Regulation 2009.

Home Schooled Students

Home schooled students who are registered by the NSW Education Standards Authority are eligible for Funded Training.

Eligibility evidence

At enrolment, a student declaration is acceptable where a form of evidence is required to be sighted or collected by the ACE Provider. However, the required evidence outlined in the below table, must be sighted or collected by the ACE Provider prior to submitting Training Activity Data for an Enrolled student who has Commenced.

Requirement	Evidence	Evidence requirements	
Proof of Identity:			
1.	Proof of identity	<ul style="list-style-type: none"> • USI. The ACE Provider must ensure validity of the USI. The Department will also check validity with the USI Registry.	Valid USI at enrolment
Eligibility:			
2.	Living or working in NSW	Living in NSW: <ul style="list-style-type: none"> • any Commonwealth or NSW Government issued document providing evidence of living location, or If the student does not live in NSW, Working in NSW: <ul style="list-style-type: none"> • employer-issued document confirming employment in NSW. 	Evidence sighted or collected by ACE Provider
3.	Citizenship: Australian citizen, New Zealand citizen and permanent Australian resident	Australian citizen: <ul style="list-style-type: none"> • Australian birth certificate; or • Australian Passport; or • Certificate of Australian Citizenship (Naturalisation Certificate); or • Green Medicare Card. New Zealand citizen: <ul style="list-style-type: none"> • New Zealand birth certificate; or • New Zealand Passport; or • Green Medicare Card. Permanent Australian resident: <ul style="list-style-type: none"> • a Certificate of Evidence of Resident Status (CERS), which confirms status as an Australian permanent resident; or • use the Department of Immigration and Border Protection's Visa Entitlement Verification Online (VEVO) facility to confirm status as Australian permanent resident and check passport; or • Green Medicare Card. 	Evidence sighted or collected by ACE Provider

Requirement	Evidence	Evidence requirements
4. Humanitarian visa holder and Partner visa holder (Refugee or asylum seeker)	<ul style="list-style-type: none"> Relevant visa documentation; or ImmiCard (where appropriate) <p>If the student holds a Bridging Visa, the student must provide a document from the Department of Immigration and Border Protection acknowledging that the bridging visa is linked to an application for a humanitarian visa.</p> <p>For additional information, refer to information under 'Refugees and asylum seekers'.</p>	Evidence sighted or collected by ACE Provider
5. Home schooled students	<ul style="list-style-type: none"> Copy of current certificate of home schooling registration, which clearly indicates the period of time for which the student will be home schooled 	Evidence sighted or collected by ACE Provider
6. Date of birth	<ul style="list-style-type: none"> USI data 	USI checks date of birth
7. Year 10 completion or equivalent (if under 17)	<ul style="list-style-type: none"> Evidence that student has met school leaving age requirement 	Student declaration/signature at enrolment
8. Postcode for an Aboriginal or Torres Strait Islander Person	N/A	Student declaration/signature at enrolment
9. Aboriginal and Torres Strait Islander students	<ul style="list-style-type: none"> Aboriginal and/or Torres Strait Islander heritage 	Student declaration/signature at enrolment

NOTE:

- All evidence must be able to be verified by the ACE Provider. At the Department's discretion, the Department may request a copy of the evidence or proof that the evidence has been sighted.
- Where evidence is sighted but not kept, a record that confirms sighting of the evidence and a description of the evidence, must be maintained by the ACE Provider. The record must be dated and signed by a person authorised by the ACE Provider. The name of the signatory and their position should also be captured.
- Where the evidence provided by the student is a copy of the original, the copy must be certified by a person who is on the list of approved witnesses who can verify documents. A list of which is available at the Commonwealth Attorney General's Department website at: www.ag.gov.au/Publications/Pages/Statutorydeclarationsignatorylist.aspx.
- If a student declares their status in relation to identify as an Aboriginal or Torres Strait Islander person at a point in time after enrolment, the ACE Provider must sight or collect the relevant evidence within 28 days of being notified by the student.

Students who are inmates with NSW Corrective Services

Students who are inmates in NSW correctional facilities do not have access to many of the documents required to allow the ACE Provider to assess eligibility for Funded Training.

NSW Corrective Services records information in the Offender Integrated Management System

(OIMS) which can verify:

- Eligibility for Funded Training:
 - Living or working in NSW
 - Citizenship: Australian citizen, New Zealand citizen and permanent Australian resident
 - Humanitarian visa holder (Refugee or asylum seeker)

ACE Providers must make arrangements with the correctional facility on how information to support eligibility will be accessed/sighted. The sighting of information recorded on OIMS is deemed as sufficient evidence, however must be recorded by the ACE Provider as per note 2 above.

Refugees and asylum seekers

1. Refugees and asylum seekers who hold particular visas are eligible for Funded Training. A student who holds one of the below humanitarian visas are eligible for Funded Training.

Permanent visas
Emergency rescue visa (Subclass 203)
Global special humanitarian programme visa (Subclass 202)
In-country special humanitarian programme visa (Subclass 201)
Protection visa (Subclass 866)
Refugee visa (Subclass 200)
Woman at Risk visa (Subclass 204)
Temporary visas
Bridging Visa A (BVA)
Bridging Visa B (BVB)
Bridging Visa C (BVC)
Bridging Visa D (BVD)
Bridging Visa E (BVE)
Safe Haven Enterprise visa (Subclass 790)
Temporary Humanitarian Concern visa (Subclass 786)
Temporary Humanitarian Stay visa (Subclass 449)
Temporary Protection visa (Subclass 785)
Partner Visa
Partner (Provisional and Migrant) visa (subclass 309 100) – (Refer to point 3 below)
Partner visa (subclass 820 801) – (Refer point 3 below)

2. For a Bridging Visa to be eligible under the ACE Program, the bridging visa must be attached to an application for a humanitarian visa eligible for the ACE Program as listed above. The student must provide a document from the Department of Immigration and Border Protection acknowledging application for a humanitarian visa.
3. A person who holds a Partner (Provisional and Migrant) visa (subclass 309 100) and Partner visa (subclass 820 801) must also provide evidence that their sponsor holds or held one of the humanitarian visas outlined above.

NOTE:

As visa types and categories are subject to change, ACE Providers are encouraged to refer to additional materials produced by the Department on this matter.

Step 2: Determine eligibility for the ACE Program

For students to be eligible under the ACE Program, the ACE Provider must assess if the student falls into one of two categories:

- (a) Disadvantaged Student (see **Step 2A**) **OR**
- (b) Regional or Remote Student (see **Step 2B**).

To be clear, the student must first be determined to be eligible under Step 1.

Step 2A: Determine if the student is a Disadvantaged Student and has barriers to participation in Smart and Skilled Programs

A **Disadvantaged Student** is a student who:

- (a) is **one** of the following:
 - (i) a Australian Aboriginal or Torres Strait Islander;
 - (ii) someone with a disability or is the dependent child, spouse or partner of someone with a disability;
 - (iii) a recipient of an Applicable Benefit, or is dependent child, spouse or partner of a recipient of an Applicable Benefit (see the table below for a list of Applicable Benefits);
 - (iv) someone who is experiencing significant hardship as verified by a government agency, medical professional or relevant support agency; or
 - (v) someone who has English as an additional language and who is unable to effectively participate in the community or in employment,

AND

- (b) is experiencing **one** of the following *barriers to participation* in training under a Smart and Skilled Entitlement Program or other Smart and Skilled Program:
 - (i) very low literacy, language and/or numeracy skills;
 - (ii) limited employability skills where students require considerable additional support;
 - (iii) persistent and ongoing personal issues impacting on educational achievement; or
 - (iv) significant educational disadvantage impacting upon student's ability to succeed in training,

(the **Barriers to Participation**).

Disadvantaged Student:	Supporting Evidence:
An Australian Aboriginal or Torres Strait Islander	A student declaration of Aboriginal and/or Torres Strait Islander heritage.
Someone with a disability or is the dependent child, spouse or partner of	Proof of receipt of a Disability Support Pension (if applicable) or a letter confirming disability

Disadvantaged Student:	Supporting Evidence:
someone with a disability	from a medical practitioner or their health professional, government agency or school counsellor.
A recipient of an Applicable Benefit, or is dependent child, spouse or partner of a recipient of an Applicable Benefit	Proof of receipt of Applicable Benefits such as a current Commonwealth benefits card, letter or income statement from Department of Human Services. <i>(see the table below for a list of Applicable Benefits)</i>
Someone who is experiencing significant hardship as verified by a government agency, medical professional or support agency	A letter of referral from the government agency, medical practitioner or other health professional, or support agency will be accepted
AND is experiencing one of the following <i>barriers to participation</i> in training under any Smart and Skilled Program:	
– very low literacy, language and/or numeracy skills	Records of language literacy and numeracy (LLN) pre assessment activity against the Australian Core Skills/Core Skills for Work Framework or other pre training assessment
– limited employability skills where students require considerable additional support	Records of employability skills pre assessment activity against Core Skills for Work Framework or other pre training assessment
– persistent and ongoing personal issues impacting on educational achievement	Referrals / documentation from case management agencies and/or doctors/medical services, referral from a Job Active Provider. Statement from student in relation to personal disadvantage
– significant educational disadvantage impacting upon student's ability to succeed in training,	Statement from student in relation to educational disadvantage as recorded during an interview with the student

A signed and dated student declaration will be accepted as proof of the student's eligibility for the ACE Program. The student declaration must confirm the student will provide evidence of eligibility upon request by the Department.

To be clear, the above evidence may be requested by the Department at any time. A failure to provide this evidence on request is an Event of Default under the ACE Provider Contract.

Applicable Benefits

Commonwealth Benefits and Allowances	
Age Pension	Austudy
Carer Payment*	Disability Support Pension
Farm Household Allowance	Family Tax Benefit Part A (maximum rate)
Jobseeker Payment	Parenting Payment (Single)
Special Benefit	Veterans' Affairs Pensions
Veterans' Children Education Scheme	Youth Allowance
Widow Allowance	

*The Carer Payment is a specific benefit paid by the Commonwealth; this category does not include the Carer Allowance or Carer Adjustment Pay

Step 2B: If the student is NOT a Disadvantaged Student, determine if the student is a Regional or Remote Student

A **Regional or Remote Student** is a student who:

- (a) is **not** a Disadvantaged Student; **AND**
- (b) lives or works in a **Regional or Remote Location**; **AND**
- (c) *cannot effectively access* training under a Smart and Skilled Entitlement Program or other Smart and Skilled Program (evidence may include a record of interview)

Regional or Remote Student evidence

A **Regional or Remote Location** is any location that is **not** classified as "Major Cities (RA1)" on the following website: <http://doctorconnect.gov.au/internet/otd/Publishing.nsf/Content/locator> or as otherwise advised by the Department.

Proof of address such as a driver's license, utility bill, electoral roll or employment contract may be accepted as evidence that a student lives or works in a Regional or Remote Location.

Step 3: Determine eligibility for CSWE (if applicable)

The ACE Provider can deliver Qualifications in a Course in Spoken and Written English (CSWE) **only** if the students have completed their allocated Commonwealth funding for training delivered under Adult Migrant English Program (AMEP) or Skills for Education and Employment (SEE). Alternatively, **only** if there is a lack of AMEP or SEE providers in their local area.

A CSWE Eligible Student is a person who can satisfy the criteria and evidence requirements set out in the table below.

Criteria	Evidence
Person who: <ul style="list-style-type: none"> has completed AMEP/SEE program but is still assessed as lacking functional English skills (Functional English defined as basic social proficiency assessed at ISLPR 2) is ineligible to attend SEE program because their English Proficiency is too high, but need LLN + Core Skills for Work support (Refer to Australian Core Skills Framework as per AMEP guidelines) did not complete AMEP/ SEE program but is assessed as having the ability and commitment to complete the Funded Course under the ACE Program; or was not referred to SEE as they have barriers that would prevent their successful participation. 	A signed and dated student declaration. The declaration must confirm evidence of eligibility will be provided upon request, including one of the following: <ul style="list-style-type: none"> Certificate of completion of AMEP/SEE course Centrelink referral due to absence of AMEP/SEE provider in local area Commonwealth confirmation of lack of AMEP / SEE provider in local area Job Active/Centrelink evidence of non-completion of AMEP/SEE program Australian Core Skills Framework/ Core Skills for Work pre training assessment

To be clear, the student must first be determined to be eligible under Step 1.

Step 4: Determine eligibility for TSB (if applicable)

For students to be eligible under TSB, the student must be:

- (a) an owner of a small business: or
- (b) an employee of a small business.

A **small business** is defined as a business with:

- (a) 20 employees or less; or
- (b) an annual turnover of less than \$2,000,000

Total training activity for this category should not exceed 10% of the Maximum Funding.

Schedule 3: Fees

Fees under the ACE Program are aligned with Smart and Skilled.

Part Qualifications

All Part Qualifications under Smart and Skilled, including the ACE Program, are **Fee free**.

Full Qualifications

The applicable Fees (including concession fees) for Full Qualifications are available on the Training Services NSW website at https://www.training.nsw.gov.au/smartandskilled/prices_fees.html.

Disadvantaged Students or Regional or Remote Students

(a) **(Fee Exempt)** who are:

an Australian Aboriginal or Torres Strait Islander; **or**

(i) someone with a disability or is the dependent child, spouse or partner of someone with a disability; **or**

(ii) Recipients of Fee-Free Scholarships

are eligible for a **Fee Exemption** (that is, they do not need to pay any Fees);

(b) **(Concession)** who are:

(i) not eligible for a Fee Exemption under (a) above; **and**

(ii) Recipients of Applicable Benefits (or is the dependent child, spouse or partner of a recipient of Applicable Benefits),

will pay the relevant **Concession Fee** as set out in the relevant Smart and Skilled: Prices, fees and subsidies document located at

https://www.training.nsw.gov.au/smartandskilled/prices_fees.html.

(c) **(full Fee)** who are:

(i) not eligible for a Fee Exemption under (a) above; **and**

(ii) not eligible for a Concession Fee under (b) above,

will pay the relevant **Fee** for the Full Qualification as set out in the relevant Smart and Skilled: Prices, fees and subsidies document located at

https://www.training.nsw.gov.au/smartandskilled/prices_fees.html having regard to whether this is the student's first post school qualification or is a second or further post school qualification.

Schedule 4: Specific AVETMISS reporting requirements

AVETMISS File	Description of what must be recorded to be an eligible ACE-funded activity
NAT00030 Program File VET Flag	<i>Tech Savvy Seniors Qualifications/Courses are VET flagged N. Other programs please refer to the AVETMISS data element definitions "VET Flag" for appropriate value.</i>
NAT00060 Subject File VET Flag	<i>Tech Savvy Seniors Qualifications/Courses are VET flagged N. All other ACE Programs (CSD, CSR, CSE and TSB – including accredited and non-accredited modules/units) are VET flagged Y</i>
NAT00080 Client File and NAT00090 Disability File	Activities funded through the ACE Program will be acquitted using Student background information provided in the NAT00080 (Client) and NAT00090 (Disability) files.
Client Identifier NAT 80, 85, 90, 100, 120 & 130	The client identifier is defined in AVETMISS as 10 characters long. In order for the Department to retain its uniqueness the reported client identifier must have no more than 7 characters (left justified) OR prefixed with 3 leading zeros.
NAT00085 Client Postal Detail	The submission of Student postal details (NAT00085 file) is mandatory for Funded Training under the ACE Program.
Training Organisation Delivery Location Identifier (Venue) NAT 20 & 120	The training delivery location identifier is defined in AVETMISS as 10 characters long. In order for the Department to retain its uniqueness the training delivery location identifier reported must have no more than 7 characters (left justified) OR prefixed with 3 leading zeros.
NAT00120 Enrolment File Outcome Identifier- National Withdrawn/Discontinued Value 40	In order for a student to have a "withdrawn" outcome the student MUST have Participated in Funded Training (as defined in the ACE Provider Contract) in at least one learning activity for that particular Funded Unit/Module. This learning activity CANNOT be an induction or orienteering activity.
NAT00120 Enrolment file Fee Exemption/ Concession Type	Must include fee exemption/concession type identifier "Y" (NAT000120 - Enrolment file) where a fee concession or exemption is given.
NAT00120 Enrolment File General	National value of 11 (Commonwealth and State general purpose recurrent). Funding provided for recurrent purposes by a State, Territory or the Commonwealth under its VET agreement with the State or Territory. Funded Training must be coded 11 unless specifically instructed otherwise in the Activity Schedule or other funding guidelines including fee-for-service activity.

AVETMISS File	Description of what must be recorded to be an eligible ACE-funded activity
NAT00120 Enrolment file Funding Source - State Training Authority	The Funding Course Code set out below for the relevant Activity Schedule must be entered. This code highlighted in bold must be used to report program activity E.g. <ul style="list-style-type: none"> • ACE Program – Disadvantaged Students: CSD • ACE Program – Regional or Remote Students: CSR • ACE Tech Savvy Seniors Program: TSS • ACE Program – Emergency: CSE • ACE School Leavers Program: SLP • ACE Targeted Skills for Small Business: TSB
NAT 30, 120 & 130 Program Identifier	The program identifier is defined in AVETMISS as 10 characters long. In order for the Department to retain its uniqueness the program identifier reported must have no more than 7 characters (left justified) OR prefixed with 3 leading zeros. Only applies to non-accredited activity.
NAT 60 & 120 Subject Identifier	The subject identifier is defined in AVETMISS as 12 characters long. In order for the Department to retain its uniqueness the subject identifier reported must have no more than 9 characters (left justified) OR prefixed with 3 leading zeros. Only applies to non-accredited activity i.e. non-accredited modules.

Schedule 5: Defined interstate NSW border areas

Location	Postcode
One of the towns in the postcode area:	
ACT:	
	2600 - 2612
	2614 - 2617
	2900 - 2906
	2911 - 2914
QLD:	
Elanora	4221
Currumbin	4223
Coolangatta	4225
Tallebudgera	4228
Texas	4385
Goondiwindi	4390
Hebel	4486
Bollon	4488
Bungunya	4494
Talwood	4496
Thallon	4497
Kioma	4498
VIC:	
Nangiloc	3494
Red Cliffs	3496
Irymple	3498
Mildura	3500
Hattah	3501
Cabarita	3505
Echuca	3564
Koondrook	3580
Shepparton	3630
Yalca	3637
Kotupna	3638
Barmah	3639
Katunga	3640
Ulupna	3641
Cobram	3644
Chiltern	3683
Rutherglen	3685
Barnawartha	3688
Wodonga	3690
Bonegilla	3691
Bandiana	3694

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