2022 Provider Selection Process

Due Diligence Request Form

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# Due Diligence Request Form Overview

For Training Providers who hold a 2021 *Skills First VET* Funding Contract and Training Providers applying to the 2022 Limited Expression of Interest: *Skills First* training for Specific Programs

## Overview

### Introduction

In considering whether a Training Provider (the Applicant) that applies to receive Victorian government funding for training provided to eligible individuals under a Draft 2022 Standard VET Funding Contract is suitable to receive such funding, the Department of Education and Training (Department) considers whether the Applicant complies with the Department’s requirements, and considers any issue/s arising from its due diligence.

The Department may also consider the prior conduct of the Applicant and any of its Related Training Providers in addition to any other relevant matter when assessing the suitability of the Applicant.

## Completing and Submitting the Due Diligence Request Form

The Authorised Officer in respect of the Applicant, will need to be a Relevant Person, as defined by clause 1.1 of the Draft 2022 Standard VET Funding Contract *Skill First* Program and must complete all relevant sections of the Due Diligence Request Form

**Note** a copy of the **Draft 2022 Standard VET Funding Contract *Skills First* Program** has been published in the Documents section of Skills Victoria Training System (SVTS)

Upon completing the **Due Diligence Request Form**, the Authorised Officer must sign and date this form and submit this to Corporate Scorecard via the following email address Skillsfirst2022@equifax.com by 5:00pm (AEST) Friday, 15 October 2021.

The Department recommends that Training Providers request a Delivery / Read receipt when emailing Skillsfirst2022@equifax.com

# Due Diligence Request Form

**Name of Legal Entity: [INSERT NAME HERE]**

**Australian Business Number (ABN): [INSERT ABN HERE]**

##

## Section One: Relevant Person(s) Form

Please list all \*Relevant Persons in relation to the Applicant below:

**\***A Relevant Person is defined by clause 1.1 of the Draft 2022 Standard VET Funding Contract *Skills First* Program

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Position** | **Date of Birth** | **Summary of Duties** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## Section Two: Staffing Overview Form

Please list the number of trainers and assessors currently employed

|  |
| --- |
| **Number of Trainers and Assessors (Full-Time Equivalent Status)** |
|  |

## Section Three: Related Training Provider Advisory Form

This section is used to advise the Department of the training organisation identifiers (TOID) and legal names of any Related Training Providers which form part of a Training Provider Group (see definition in Draft 2022 Standard VET Funding Contract) to which the Applicant belongs.

Please list the TOID and legal name of each Related Training Provider which forms part of a Training Provider Group to which the Applicant belongs, or tick the box confirming that the Applicant has no Related Training Providers.

|  |  |
| --- | --- |
| **TOID** | **Legal Name** |
|  |  |
|  |  |

NO RELATED TRAINING PROVIDERS [ ]

## Section Four: Other Disclosure Questionnaire

|  |  |  |
| --- | --- | --- |
| **Questions** |  |  |
| Do you confirm that you are duly authorised to complete this Due Diligence Request Form, i.e. a duly authorised person in respect of the Applicant, who is a Relevant Person. | YES [ ]  | NO [ ]  |
| Has the Applicant had its registration on the National Register suspended in part or in full? | YES [ ]  | NO [ ]  |
| Has the Applicant ever had a condition imposed on its registration as a training organisation on the National Register? | YES [ ]  | NO [ ]  |
| Has the Applicant ever breached a condition of registration in Subdivision B of Division 1 of Part 2 of the *National Vocational Education and Training Regulator Act 2011* (Cth)? | YES [ ]  | NO [ ]  |
| Has the Applicant, been involved in the business of the provision of courses by another training provider who would have to answer yes to any of the above questions at the time of any of the events that gave rise to the relevant prosecution or other action? | YES [ ]  | NO [ ]  |
| Does the Applicant consider there to be any doubt about whether the public is likely to have confidence in its ability to provide or assess national qualifications? | YES [ ]  | NO [ ]  |
| Has the Applicant knowingly, ever provided a state or territory registering body and/or the national VET regulator with false or misleading information or made false or misleading statement to a state or territory registering body or the national VET regulator? | YES [ ]  | NO [ ]  |
| Has the Applicant unintentionally, ever provided a state or territory registering body and/or the national VET regulator with false or misleading information or made false or misleading statement to a state or territory registering body or the national VET regulator? | YES [ ]  | NO [ ]  |
| Does the Applicant confirm that, since 1 January 2011, it has:1. not had a Victorian VET Funding Contract or Service Agreement terminated by the Department on the basis of performance?; and
2. not had any Other VET Funding Arrangement (including VET Student Loans approval, or its predecessor) terminated on the basis of performance?; and
3. not been responsible via its acts or omissions, for any of the matters raised in items i and ii occurring to another person or entity?
 | YES [ ]  | NO [ ]  |
| Does the Applicant confirm that, since 1 January 2011, it has not engaged, employed, contracted or otherwise dealt with any Disallowed Person (in accordance with the definition in the Draft 2022 Standard VET Funding Contract that:1. has had a contract for government subsidised training delivery with the Department terminated prior to the expiration date on the basis of performance; or
2. has had any Other VET Funding Arrangement (including VET Student Loans approval or its predecessor) revoked, cancelled, refused for renewal or otherwise terminated on the basis of performance; or
3. has had its registration under the Education and Training Reform Act 2006 or the National Vocational Education and Training Regulator Act 2011 (Cth) or relevant equivalent legislation revoked, cancelled, refused for renewal or otherwise terminated by the relevant regulator; or
4. was responsible, via its acts or omissions, for any of the matters raised in this item occurring to another person or entity?
 | YES [ ]  | NO [ ]  |
| Is the Applicant registered by: (tick applicable box) |  |
| 1. the Victorian Registration and Qualifications Authority (VRQA)
 |  [ ]  |
| 1. the Australian Skills Quality Authority (ASQA) or
 |  [ ]  |
| 1. a state or territory training authority other than the VRQA
 |  [ ]  |
| Does the Applicant have its principal place of business in a physical location in Victoria¹? | YES [ ]  | NO [ ]  |
| Does the Applicant, give explicit permission for the National Centre for Vocational Education Research (NCVER) to provide, and the Department to obtain and review, any student statistical data held by NCVER in relation to the Applicant’s delivery since 1 January 2014? | YES [ ]  | NO [ ]  |
| Does the Applicant, confirm that it will immediately notify the Department upon becoming aware of any proposed Change in Control and, in any event, at least 20 Business Days in advance of the Change in Control taking effect, if such a Change in Control occurs subsequent to submission of this application for a 2022 Standard VET Funding Contract? | YES [ ]  | NO [ ]  |
| Does the Applicant, confirm that it is aware of and understands that:1. the Draft 2022 Standard VET Funding Contract includes a number of onerous obligations with which a contracted RTO is legally bound to comply, including to ensure that the training delivered is high quality and suitable for the individuals to whom it is delivered, to ensure that funds are only claimed for eligible individuals who undertake the training, to generate and keep certain records, and to submit reports;
2. the Department will have a number of broad powers under the contract to withhold and recover funding and to audit the RTO's performance, in order to ensure that it is satisfied that the RTO is complying with its obligations; and
3. an RTO should only submit an application and enter into this contract, if it is satisfied that it can comply with the contract, including having sought legal advice as appropriate to understand its obligations under the contract.
 | YES [ ]  | NO [ ]  |

## Section Five: Authorised Officer Declaration

1. I , the person named below, certify that I am the Authorised Officer of the abovementioned legal entity and that I have the authority to complete this Declaration.

1. I declare that the information I have provided in this form is true and accurate.

|  |
| --- |
| Name of Authorised Officer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature of Authorised Officer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |