

RTO Regulation and Legislation Policy

What This Policy Covers

This policy outlines how Menzies Institute of Technology maintains compliance with all VET regulations, ESOS Act requirements, and Australian legislation. It covers registration obligations, ASQA reporting, financial viability, insurance requirements, and our systematic approach to monitoring regulatory changes.

Key Sections of the Policy

Registration and ASQA Compliance: We maintain current registration with ASQA and comply with Standards for RTOs 2025 (both Outcome Standards and Compliance Requirements) and Credential Policy.

Third Party Agreements: All arrangements with third parties are formalized through written agreements that specify responsibilities and compliance requirements.

Records Management: Student records are retained for 30 years, staff records for 7 years. We have systems for secure archiving, retrieval, and transfer if closure occurs.

Financial Viability: We maintain business and financial capacity to deliver all qualifications, employ qualified staff, provide student services, and manage operational risks.

Fit and Proper Persons: All Executive Officers and High Managerial Agents meet Fit and Proper Person Requirements and provide declarations to ASQA.

Insurance: We hold current public liability insurance appropriate to our size and scope of operations.

Fee Protection: International student fees paid in advance are protected through Tuition Protection Service compliance.

Regulatory Monitoring: We systematically monitor legislation and regulations through ASQA newsletters, Department of Education updates, and government websites.

Key Compliance Processes

Notifying ASQA of Changes - We notify ASQA within 90 days of changes including contact details, ownership, scope additions, significant financial changes, third party arrangements, or non-compliance issues. Notifications submitted through ASQA Business Portal by Head of Compliance.

Internal Audits - Annual internal audits conducted by external auditor to assess compliance with all standards. Results reviewed by Governance and Risk Management Committee with action plans for any issues.

Annual Compliance Declaration - Director and CEO complete annual compliance declaration by required deadline confirming ongoing compliance with all VET regulations.

Data Reporting - Submit AVETMISS data within 60 days of semester completion. Submit Quality Indicator surveys annually (Learner Questionnaire and Employer Questionnaire).

TPS Notifications - Notify Tuition Protection Service within 3 business days of provider default or student default situations. Maintain current fee protection arrangements.

Regulatory Monitoring - Governance and Risk Management Committee monitors for legislative changes. When changes identified, policies updated through committee structure and communicated to relevant staff.

Financial Oversight - Finance Manager monitors financial position monthly. Annual financial reports reviewed by Executive Leadership Team and Director to ensure ongoing viability.

Fit and Proper Person Verification - All new Executive Officers and High Managerial Agents complete Fit and Proper Person declarations before appointment. Ongoing monitoring of compliance with requirements.

Important Points to Remember

- Must comply with Standards for RTOs 2025 at all times
- Must notify ASQA within 90 days of significant changes
- Student records retained for 30 years minimum
- All third party arrangements require written agreements
- Maintain financial capacity to deliver all courses
- All governing persons must meet Fit and Proper Person requirements
- Public liability insurance must be current
- International student fees protected through TPS
- Submit AVETMISS and Quality Indicator data on time
- Complete annual compliance declaration by deadline

Additional Information

We comply with the VET Quality Framework including Standards for RTOs 2025, ESOS Act 2000, and National Code 2018. Our governance structure includes Executive Leadership Team (Director, CEO, Finance Manager, Head of Compliance) and specialized committees overseeing different compliance areas. The Governance and Risk Management Committee provides primary oversight of regulatory compliance. We subscribe to ASQA and Department of Education communications to stay informed of regulatory changes and implement updates promptly through our policy framework.

Need Help?

For questions about this policy:

Head of Compliance, 1300 244 002, compliance@menzies.vic.edu.au

Related Policies and Documents

- MITP001 - Quality Governance and Accountability Framework
- MITP10 - Refund Policy and Procedure
- MITP31 - Student Records Management
- MITP71 - Internal Audit Policy and Procedure
- MITP74 - Risk Management and Financial Viability
- MITP86 - Third Party Arrangements
- MITP92 - Leadership and Accountability
- Standards for RTOs 2025 (Outcome Standards and Compliance Requirements)
- Credential Policy
- ESOS Act 2000 and National Code 2018