



APPRENTICESHIPS  
TASKFORCE

# Final Report

March 2024

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# Message from the Chair

Providing apprentices and trainees with safe and supportive workplaces and training institutions is an individual right and is vital to retaining a skilled Victorian workforce.

Preventable accidents and under-representation of diverse cohorts in many apprenticeships and traineeships are commonplace, as is inappropriate workplace culture that leads to discrimination and harassment based on gender, ethnicity, disability or mental health. Industry and trade unions are not confident that the current system can address these issues. An increased focus on apprenticeships and traineeships, a streamlined support system and modernised regulation are critical as the demand for apprentices grows.

In this context, the Apprenticeship Taskforce began work in August 2023. We have undertaken a significant program of work to develop a shared understanding of the issues and barriers faced by apprentices and trainees. We have developed a responsive set of recommendations and supporting actions to ensure best practice and create significant reform.

Our work was underpinned by a wide range of consultations across the system, with a focus on the lived experience of apprentices and trainees. The Taskforce has responded seriously to the concerns raised in these consultations.

Our deliberations have demonstrated a shared commitment to reducing harms faced by apprentices and trainees through increasing worker support, ensuring a robust regulatory system and promoting education and compliance through legislative and regulatory reforms. We have identified 16 recommendations for the Government's consideration. Several require early implementation to alleviate priority risks and challenges. Others will require more substantial timeframes and should be legislated for in parallel. The Taskforce also promotes 3 further supporting actions that require coordination with other sectors. These actions will ensure promotion of vocational education and training (VET) career pathways and continually identify further opportunities for support throughout the apprenticeship and trainee journey.

Collectively, these recommendations represent the Taskforce's vision for a modernised system. We have laid out reform opportunities to improve the experience of all apprentices and trainees. Our recommendations will also alleviate barriers for underrepresented cohorts such as women, First Nations people and people of CALD backgrounds. We have designed effective mechanisms to address issues of safety, harassment and bullying, of training provision, wages and conditions. These mechanisms will make it easier for apprentices, trainees, and employers to navigate the system.

Independent VET, apprenticeship and traineeship regulation will strengthen and simplify the confusing regulatory landscape. A consultative council of industry and union representatives will support the proposed reforms and assist in rebuilding confidence. This support is vital in a time of economic transition that requires vocational education at unprecedented scale.

I would like to thank the many stakeholders from across the system, including apprentices and trainees, for taking time to share their experiences and insights with the Taskforce. I also thank the Taskforce Secretariat within the Department of Jobs, Skills, Industry and Regions who have supported the Taskforce in its work.

The members of the Taskforce are grateful for the opportunity to provide expert advice, guidance, and recommendations to government on this important issue. We thank the government for their leadership and their ambition for reform. We trust that this report can form the basis of an ambitious reform agenda, targeted at improving the experience of all Victorian apprentices and trainees.

**Sharan Burrow AC**  
Taskforce Chair

# Executive summary

Victoria is changing rapidly. The state has an ambitious transformation agenda, including the transition to a clean economy, the Big Build, and a quickly expanding care economy. Each of these vital initiatives will not succeed without growth in Victoria's skilled workforce, primarily via apprenticeships and traineeships. As of 30 June 2023, around 79,000 Victorians were undertaking an apprenticeship or traineeship,<sup>1</sup> 4,700 of whom are undertaking an apprenticeship or traineeship while at school. These forms of training combine employment with on-the-job and formal training for qualifications in a wide range of industries. They give apprentices and trainees opportunities to develop their skills within paid employment and provide employers with access to labour that supports business growth and industry sustainability.

Apprenticeships and traineeships can be a very rewarding experience for the individual and their employer. However, the current system is failing apprentices and trainees, and by extension the Victorian public. In recent years, there have been tragic incidents resulting in death and serious injury to apprentices and trainees. Apprentices and trainees have reported a range of unacceptable incidents, including bullying, discrimination and harassment, unsafe workplaces, and unpaid wages. Whilst the apprenticeship system, at its best, provides the platform for a productive and rewarding career, it does not always set up apprentices and trainees for success. Many apprentices and trainees report low quality training, both on and off the job. Often, employers do not understand or comply with their obligations. In other cases, the obligations for employers are insufficient and irrespective of compliance. Due to a combination of these and other factors, Victoria has a relatively low rate of apprenticeship completion and a confusing and fragmented regulatory ecosystem.

More generally, the regulatory framework underpinning Victoria's apprenticeship system, the Education and Training Reform Act, was established more than 15 years ago, and many of the relevant components of the Act date back over 25 years. It does not meet the needs of apprentices, employers and other stakeholders. It urgently needs to be modernised to keep pace with the changing world of work and education.

There is a pressing need for improved safeguards and oversight of Victoria's apprenticeship system, supported by a package of other reforms also targeted at improving the apprentice and trainee experience. These reforms should ensure that tragedies and other poor experiences reported by apprentices and trainees are minimised. In this context, the Victorian Government established the Apprenticeship Taskforce (the Taskforce) in July 2023 to advise the Government and provide recommendations to strengthen the apprenticeship system. The Taskforce was given a broad remit to improve safety, fairness and quality for apprentices and trainees. The lived experiences of apprentices and trainees was at the heart of the Taskforce's work. This work takes place amidst a broader reform platform, highlighted by the recently announced Commonwealth Strategic Review of the Australian Apprenticeship Incentive System. Whilst this Taskforce has considered the apprenticeship and traineeship system primarily through a regulatory lens, the Commonwealth's Strategic Review will consider the system through an incentive-based lens. This reflects the role of State as responsible for apprenticeship legislation and regulation and the Commonwealth's longstanding role incentivising employers (and more recently, apprentices and trainees).

This report sets out the Taskforce's recommendations and findings to government. The 16 recommendations and 3 supporting actions in this report provide a holistic package of reforms that will improve the apprentice and trainee journey by:

1. enhancing collaboration, coordination, navigation support and performance across the system by ensuring that the safeguarding ecosystem supports apprentices and trainees and can be understood and accessed by stakeholders;
2. strengthening and modernising the regulatory framework that oversees the system with a focus on changes to legislation and regulatory practice to better safeguard apprentices and trainees, including updated regulatory institutional arrangements; and
3. improving each step of the apprentice and trainee journey to ensure adequate support to apprentices, trainees and their employers and to provide for quality training on and off the job that gives apprentices and trainees a strong start to their careers.

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1 National Centre for Vocational Education Research, *Apprentices and Trainees 2023: June Quarter* (published 19 December 2023), Victoria in-training.

The Taskforce has also identified 5 priorities for implementation that will improve outcomes in the short-term and more substantial, system-wide reforms that will take longer to implement but which will deliver significant system improvements.

Together these recommendations and reform opportunities will help Victoria’s apprenticeship system to better support apprentices and trainees, employers, industry and Victoria’s economy and society. Our recommendations are summarised below in Figure 1.

Figure 1 | Recommendations and supporting actions

RECOMMENDATIONS AND SUPPORTING ACTIONS		
SAFEGUARDING ECOSYSTEM	<b>Recommendation 1</b> <i>Priority for implementation</i>	Mandate data sharing processes and regular meetings between regulators, initially through consistent statements of expectation requirements for all relevant regulators and then through regulatory reform
	<b>Recommendation 2</b>	Integrate the Commonwealth managed Unique Student Identifier (USI) with Victorian apprenticeship systems and data to establish a more accurate accounting of completion rates, more effectively track apprentices’ and trainees’ journey through the system and facilitate better coordination of supports across the system
	<b>Recommendation 3</b>	Streamline and strengthen collaboration of Commonwealth AASNs and Apprenticeship Support Officers to minimise duplication and support a system wide approach to Apprenticeship and Traineeship supports, where possible extending to industry partners and education providers
	<b>Recommendation 4</b> <i>Priority for implementation</i>	Establish a central help desk as a single point of contact for information, guidance and case management of complaints across multiple authorities
	<b>Recommendation 5</b>	Increase ASO numbers in stages (with the first stage to support the help desk) to ensure apprentices and trainees are adequately supported, particularly those not captured by specialist support services offered under new proposed AASN arrangements
	<b>Recommendation 6</b>	Provide information sheets at commencement to clarify roles, rights, responsibilities and expectations as well as provide contemporary information across the life of an apprenticeship or traineeship

## RECOMMENDATIONS AND SUPPORTING ACTIONS

### Recommendation 7\*

Establish an independent VET, apprenticeship and traineeship regulator with additional immediate support for VRQA to manage the transition, including a more proactive education and compliance monitoring approach in high-risk sectors (particularly construction and associated supply chains), supported by a permanent consultative industry committee inclusive of business and union representatives

### Recommendation 8 *Priority for implementation*

Modernise ETRA to clarify objectives, enhance safeguards and oversight, and improve system outcomes

- A. Amend the regulator's purpose to include an apprenticeship-specific objective that emphasises a role in promoting safety and quality
- B. Define key terms in the Act to provide clarity about regulated entities and co-regulators
- C. Introduce an employer registration scheme using risk-based registration criteria and allowing for additional obligations on employers
- D. Introduce common outcome-based employer standards that provide for:
  - i. Safety of the workplace (cultural, physical and psychological)
  - ii. Supervision
  - iii. Quality of training
  - iv. Mentoring and support for apprentices
- E. Introduce new powers and tools to monitor and enforce compliance and undertake investigations with associated appeals mechanisms and allowing for joint and several responsibility at shared worksites
- F. Enhance oversight of training contracts
- G. Enhance use of training plans to promote quality
- H. Add provisions to facilitate sharing of information between regulators and oversight entities
- I. Introduce additional reporting requirements on the Regulator

### Recommendation 9

Legislatively provide for the VET, apprenticeship and traineeship Regulator to define apprenticeships and traineeships for the purpose of new qualifications following consultation with unions and industry

### Recommendation 10

Provide support legislatively or administratively for new employers and those who may otherwise not be able to comply with new requirements to meet standards via GTO 'lite' services

### Recommendation 11

Working with industry, ensure the benefit of education and support for new employers and those transitioning to the new regulatory standards (including access to time limited GTO-lite options) is achieved under the new regulator through the consideration of an appropriate and affordable funding policy

\*Part 2 of this recommendation (additional VRQA resources) is a priority for implementation.

## RECOMMENDATIONS AND SUPPORTING ACTIONS

### Recommendation 12

Establish a 'gender equity employer list' to assist female apprentices to find supportive employers

- **Stage 1:** Establish an initial employer voluntary pledge for those that commit to employing women, providing appropriate hygiene facilities, providing uniforms appropriate for women and ensuring support on-site or offsite. (*Priority for implementation*)
- **Stage 2:** Implement a recognition program that includes assessment of applications and audit of employer workplaces.

### Recommendation 13

Develop a financial package of support for apprentices and trainees including options to address the initial burden of fees on apprentices and trainees, support for debt recovery measures for TAFE's and free public transport

### Recommendation 14

Advocate to the Commonwealth to lift wages to minimum rates of pay along with consideration of appropriate support for employers, improve standardisation across awards, provide a Commonwealth Health Card and consider improvements to rental support

### Recommendation 15

Promote a pipeline of quality TAFE trade teachers with early provision of Training and Education (TAE) Certification (ensuring work experience requirements are met) throughout industry career lifecycles, seeking short secondments or sessional arrangement from employers for onsite and offsite specialist training, and developing a dedicated 'bridge to retirement' for workers seeking a change of roles

### Recommendation 16

Support apprentices and trainees to access small business skills and support pathways to licensing where required in their final year to better prepare apprentices for their future

### Supporting action 1

Actively promote apprenticeships and traineeships as attractive career paths

- Promoting apprenticeships in schools
- Promoting pre-apprenticeships
- Identifying recruitment sites
- Coordinating reforms with the HeadStart program

### Supporting action 2

Explore opportunities to provide ongoing mentoring support

### Supporting action 3

Establish ongoing formal consultation with apprentices and trainees



# 1. Background and context

This section outlines the role apprentices and trainees play in Victoria's economy and society and underscores the importance of a robust apprenticeship system to promote quality and manage risks. It provides an overview of the key steps in an apprenticeship or traineeship and the wide range of organisations involved in the apprenticeship system. It also describes the key challenges that Victoria's apprenticeship system is facing and describes the inception and remit of the Taskforce.

## 1.1 Apprentices and trainees play an important role in Victoria's economy and society

Apprenticeships and traineeships combine employment and on-the-job and formal training for occupations in a wide range of industries. The combination of workplace and classroom-based learning provides a credible, respected pathway for developing workplace skills and promoting productivity in the labour force that can be adaptive to the current and emerging needs of industry.<sup>2</sup> More than 78,000 people are in an apprenticeship or traineeship in Victoria,<sup>3</sup> representing around 15% of people in post-secondary education.<sup>4</sup> Of this number, 4,700 are undertaking their apprenticeship or traineeship while at school.

Apprenticeships and traineeships are important to Victoria's economy and society for a range of reasons:

- They enable apprentices and trainees to develop skills, participate in the workforce, and invest in their human capital by undertaking paid work in the workplace and obtaining formal qualifications that provide the platform for productive and rewarding careers.<sup>5</sup>
- They provide employers with access to skilled labour that supports business growth and industry sustainability across a wide range of sectors.<sup>6</sup>

- They help ensure an adequate supply of workers across a wide range of important industries, while also increasing the productivity of Victoria's workforce, supporting cost-effective delivery of vocational education, and reducing unemployment (particularly youth unemployment).<sup>7</sup>

Apprenticeships' and traineeships' role in reducing youth unemployment and providing pathways to work cannot be understated. They are one of the most common pathways into the workforce for young people, and therefore represent a crucial part of Victoria's overall employment system.

In these ways, Victoria's apprenticeship system brings significant individual and social benefits. Ensuring the system delivers workers' fundamental right to safety, alongside high-quality training, is vital to achieving these benefits.

While apprenticeships and traineeships have many similar characteristics, there are important differences. These include duration (apprenticeships are typically longer), industry (apprenticeships are usually focussed on trades), and training delivery, which can vary greatly between qualifications. These differences should be considered when Government implements the Taskforce's recommendations.

2 OECD, 'Work-based learning and apprenticeship'

3 VOCSTATS June Quarter 2023

4 This includes higher education institutions, TAFE/Vocational and other education/training institutions. See Informed Decisions demographic resources, 'Victoria education institution attending'

5 The Australian Industry Group, 2016, 'The future of Australian Apprenticeships'

6 International Labour Organization, 2019, 'What are the challenges facing apprenticeship systems?'

7 OECD iLibrary, 'OECD education working papers'

## 1.2 Apprenticeships and traineeships combine formal training with employment

Apprenticeships and traineeships support skill transfer and development by combining employment, on-the-job training and formal study. Apprenticeships generally provide training in a skilled trade and can typically take up to 4 years to complete. They can be embedded in industrial agreements or awards and may have licencing requirements through sectoral bodies. Traineeships generally provide training in a non-trade vocation and cover a broader range of occupations than apprenticeships. Traineeships can take anywhere from 1 to 4 years, though they are typically shorter than apprenticeships.

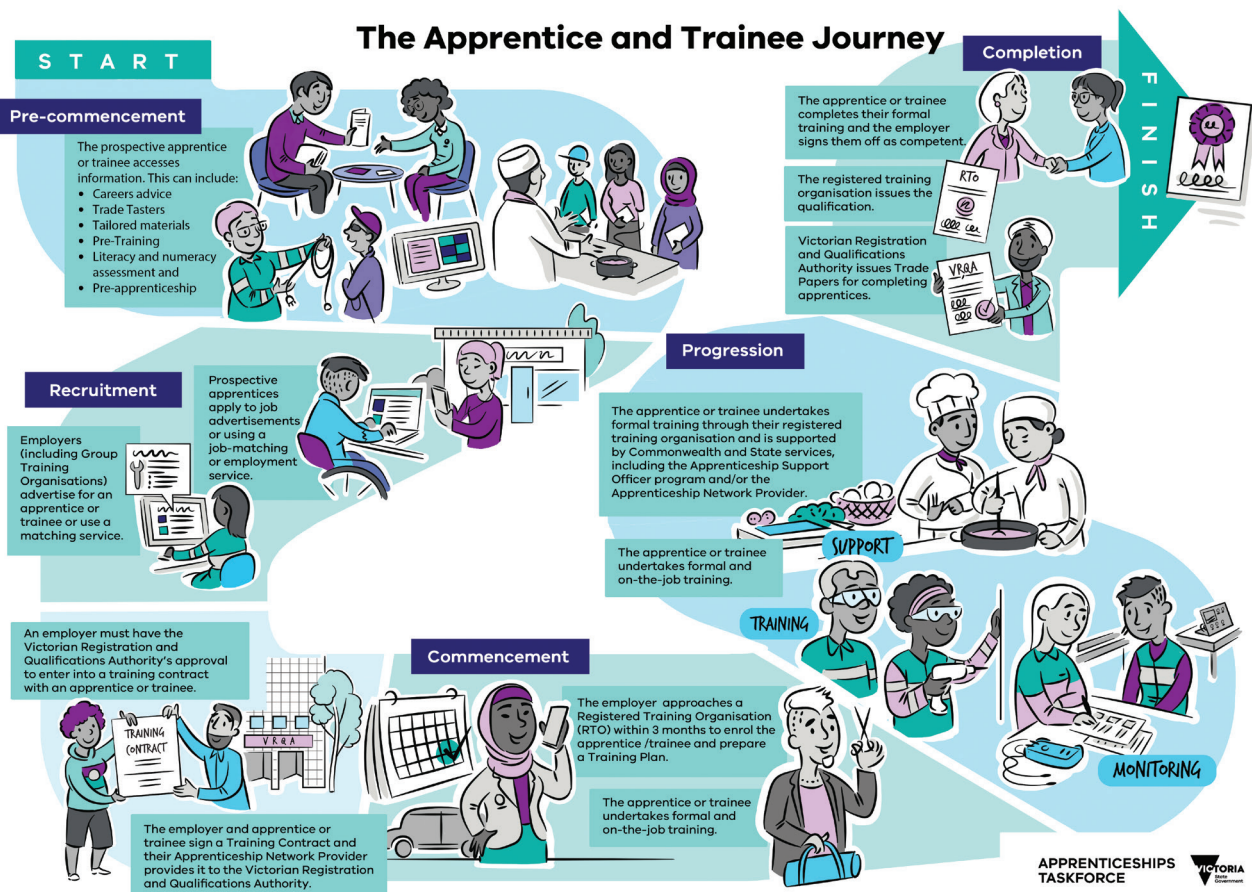
Apprenticeships and traineeships involve entering a formal employment relationship. The employer is responsible for meeting legal and industrial

requirements under Australia's Fair Work system, as with any staff member, as well as additional obligations that come from signing a training contract with the apprentice or trainee (see Section 4.1 for more information about training contracts). The employer is responsible for providing on-the-job training to teach the apprentice or trainee relevant occupational skills, including embedding the skills they have learnt in formal training, and must provide appropriate support and supervision in the workplace.

Formal training is provided by a Registered Training Organisation (RTO), which may be a TAFE, industry or private RTO. The apprentice or trainee must agree to a training plan with the employer and RTO which cover the timing, location and training needed to complete their qualification (see Section 4.1 for more information about training plans).

The main steps in an apprenticeship or traineeship are summarised in Figure 2 below.

Figure 2 | Key steps in an apprenticeship or traineeship



Note: the above apprentice and trainee journey also reflects the journey for School-Based Apprenticeships and Traineeships (see below), with additional involvement of the school and supports from the Head Start program for SBATs from government schools.

### 1.3 School-Based Apprenticeships and Traineeships (SBAT) provide an additional pathway into the system

Around 6% of apprentices and trainees are still at school, and the majority of these apprentices and trainees undertake a SBAT. A SBAT gives a student paid on-the-job training while they complete secondary school. SBATs combine part-time employment with training toward a nationally recognised VET qualification. Students can receive credit for their SBAT towards their Victorian Certificate of Education (VCE), VCE Vocational Major or Victorian Pathways Certificate. The SBAT student, their parent and employer sign a training contract, and the student completes a training plan with a registered training organisation. The student's school must approve the SBAT, so the student can attend work and training during the school week.

In Victorian government secondary schools, additional support is provided to SBATs through the Head Start program that supports students in years 10–12 to participate in a SBAT, to develop skills, capabilities and confidence that employers in growth industries need. Head Start teams are based in 12 school-based hubs across Victoria and provide wrap-around support for SBAT students.

Each student completing a SBAT with Head Start receives:

- career planning advice from their school career practitioner to find the right pathway
- a plan for their pathway into a priority industry career, tailored to their specific needs and the needs of their employer
- one-on-one support from a Head Start coordinator to keep them on the right track
- quality-assured training through TAFEs and Skills First providers
- a secondary certificate such as the VCE, VCE Vocational Major or VPC
- completion or significant progress towards a qualification such as a Certificate III or IV
- payment of a fair training wage.

For the purposes of this report any reference to apprentices or trainees also includes SBATs (unless otherwise indicated).

### 1.4 Many entities are involved in the apprenticeship system

The apprenticeship and trainee system is complex, with many parties involved at various points in an apprenticeship. Their involvement can be with apprentices, employers, RTOs, or a combination of these parties. These entities fulfil oversight, regulatory, coordination functions and support roles in Victoria's apprenticeship system. Key examples include the Victorian Registration and Qualifications Authority (VRQA), Apprenticeships Victoria, Apprenticeship Support Officers (ASOs), Group Training Organisations (GTOs) and schools. A detailed description of each is provided in Appendix C.

### 1.5 There is a clear need for improved oversight and safeguards for apprenticeships and traineeships

There are specific challenges facing Victoria's apprenticeship system that provide the backdrop for the Taskforce's work:

- **Safety incidents:** There have been unacceptable tragic incidents resulting in death<sup>8</sup> and serious injury<sup>9</sup> to apprentices in the last few years which highlight safety risks that are not adequately mitigated by the regulatory framework. More broadly, WorkSafe data suggests that the number of significant claims increased by 31% between 2013 and 2021.<sup>10</sup>
- **Low completions:** Victoria has low rates of apprenticeship completion compared with the Australian average. For instance, individual completion rates for Victorian apprentices who commenced in 2017 was 52.3%, compared to the national average of 55.9%. The best performing state with respect to completions is Western Australia, at 65.7%. This is reflective of an ongoing trend of underperformance in Victorian apprenticeship completion rates, which have been below the national average each year for at least 13 years. Traineeship completion rates are also 1.5% below the national average and have remained below the national mark for 7 years.<sup>11</sup> National data shows some correlation between completion and satisfaction with on-the-job aspects of apprenticeships and traineeships, including safety, working conditions, supervision, and skills learned on-the-job.<sup>12</sup>

8 ABC News 2018, 'Family distraught after apprentice dies in worksite employer Ai Group knew was unsafe'

9 Australian Institute of Health and Safety, 2018, 'VIC: Company fined \$300,000 after apprentice electrocuted'

10 Claims data provided by WorkSafe to AV

11 AV analysis of VOCSTATS June 2023 data

12 Stonwick, J, Ackehurst, M and Frazer, K, 2021, 'Issues in apprenticeships and traineeships – a research analysis', National Centre for Vocational Education Research, p.13

- **Workplace bullying and harassment:** There are concerning reported incidents of workplace issues, including bullying and harassment, unsafe workplaces, and unpaid wages. For instance, the Victorian Young Workers Centre has noted *'an increase in the number of apprentices reaching out ... from across industries and across Victoria'* with these concerns. These issues are especially acute for non-traditional cohorts of apprentices and trainees, including women and people from culturally and linguistically diverse backgrounds.<sup>13</sup> In some cases, these incidents can have lifelong impacts for apprentices and trainees.
- **Outdated legislation:** More generally, the legislative framework regulating the apprenticeship system was established more than 15 years ago and many components of the Act date back over 25 years. As a result, the legislative framework has not kept pace with changes in how apprenticeships and traineeships are being delivered. It also does not provide adequate safeguards for apprentices and trainees, nor does it allow the regulator to take timely and appropriate action. Especially in the context of recent increases in the number of apprentices and trainees in Victoria – and commitments from the Victorian Government to invest in better supporting the apprenticeship system – it is timely to review the legislative framework to ensure it protects against key risks, promotes quality, and supports a future-focussed apprenticeship system.
- **Inconsistent employer quality:** Many employers do not understand their responsibilities and obligations for ensuring a safe, high-quality experience for their apprentices and trainees – or what this might even look like. Apprentices and trainees have reported a wide variance in experience with their employers, reflecting the need to improve employers' understanding of their role and responsibilities. However, many employers feel they are not adequately supported to learn about these obligations.
- **Confusing regulatory landscape:** Victoria's regulatory ecosystem is very complex and confusing for stakeholders who often do not know where to access information, supports and guidance, and report little understanding of the VRQA's role and responsibilities. The current ecosystem is very complex and does not support effective co-regulation and oversight of the system.

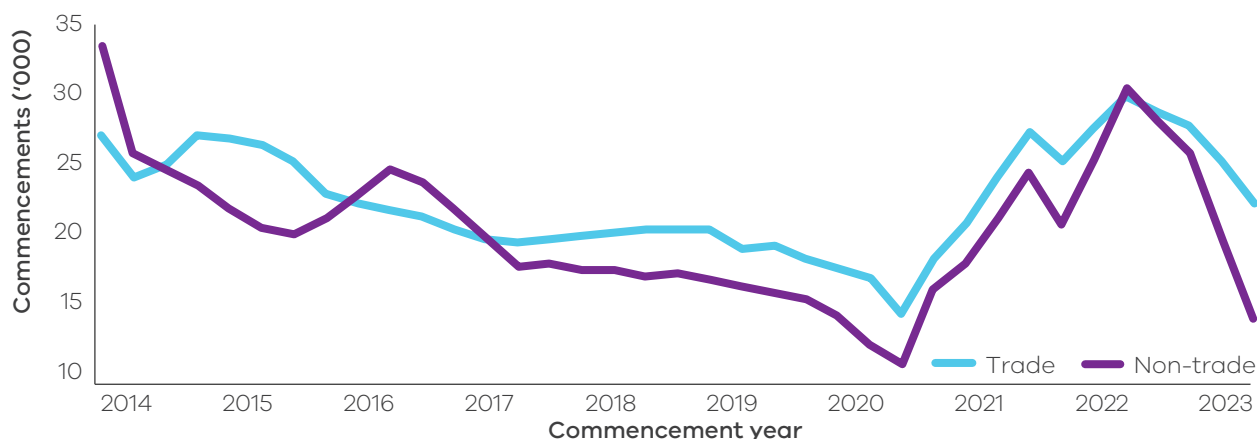
These factors contribute to a poor experience for many apprentices and trainees, driving consistently low commencements and completions that are insufficient to meet Victoria's skills needs. A growing pipeline of apprentices and trainees is essential for the Government to deliver its agenda, spanning the Big Build, Housing Statement, Clean Economy, Care Economy, and other initiatives. Over the last 10 years, apprenticeship and traineeship commencements were mostly in decline, with an upturn in between 2020 and 2022. Data from December 2023 indicates that this may have been partly linked to the Boosting Apprenticeship Commencement wage subsidy, which has now ceased (see Figure 3 overleaf). This also coincides with the inception of Apprenticeships Victoria, which has (among other responsibilities) focussed on increasing apprenticeship commencements. However, 2023 data (which is incomplete at the time of writing) suggests that despite a decline after the end of the subsidy, commencements remain higher than in 2020 and at a similar level to 2021. Commencements for apprenticeships (trade) have remained comparable to 2021 levels, while traineeship commencements (non-trade) have declined more sharply.

Many other issues hinder the success of Victoria's apprenticeship and traineeship system, in addition to those factors listed above. These are described in Chapters 3, 4 and 5. Collectively, these issues underscore the urgency of the Taskforce's work in recommending reforms to Victoria's apprenticeship system.

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<sup>13</sup> Ibid

Figure 3 | Apprenticeship and traineeship commencements, June 2014-2023<sup>14</sup>



Note: 2023 data is currently incomplete, and the full extent of the change from 2022-23 is unknown.

## 1.6 A robust apprenticeship system is needed to promote a quality experience and manage risks

The apprenticeship system should provide a safe and high-quality experience for apprentices and trainees across their journey through the system. This is especially important because:

- **Providing high-quality employment and training has substantial economic and social benefits.** There is significant and growing demand for apprentices and trainees in Victoria to ensure an adequate supply of skilled labour across the state.<sup>15</sup> Additionally, apprenticeships contribute to increased youth employment and can establish young people in well-paid careers for life. In this context, it is important that the regulatory arrangements overseeing the system strike a balance between ensuring appropriate safeguards and controls to manage risks without deterring employers from taking on apprentices and trainees.
- **Apprentices and trainees do not always have full information about their workplace.** Apprentices and trainees expect that the employer they are joining will provide a safe and enjoyable workplace. However, they are often new to the workforce, and may not be able to identify risks, safety concerns or mistreatment. Equally, employers cannot tell if an apprentice or trainee will be a good worker. In this context, some form of government assurance that standards of safety and quality are met are important to address information asymmetries.<sup>16</sup>

- **There can be a significant power imbalance between apprentices and trainees and their employers which can make them especially vulnerable to workplace exploitation.** Notwithstanding shifting demographics of apprentices and trainees, a significant number in Victoria (27.6%) are under the age of 19 and a clear majority (62.3%) are under 25-years old,<sup>17</sup> many of whom have had no or little previous work experience. At commencement, around 45% of apprentices are 19 or under. These workers are inexperienced in understanding and exercising their rights, recognising appropriate workplace treatment, and knowing where to go for help. This is especially true for school-based, or disadvantaged youth who face a range of additional barriers to exercising their rights.<sup>18</sup> It is also the case for apprentices and trainees from diverse backgrounds, such as women, first nations people, culturally and linguistically diverse and those with a disability. In addition, an apprenticeship or traineeship is not a typical contract between an employer and an employee. It involves training and skills transfer beyond that typically provided in the workplace – the workplace itself is a training environment. For this reason, the apprenticeship system requires substantial commitment from an employer and an apprentice or trainee. In this context, there are grounds for government oversight beyond existing safeguards governing standard employment contracts outside of apprenticeships and traineeships.

<sup>14</sup> NCVER 2023, *Apprentices and trainees, June Quarter*

<sup>15</sup> Ecorys, IES, IRS 2013, 'The effectiveness and costs-benefits of apprenticeships: Results of the quantitative analysis', European Commission

<sup>16</sup> Productivity Commission 2020, 'National Agreement for Skills and Workforce Development Review- Productivity Commission Study Report', Australian Government

<sup>17</sup> On 31 March 2022, 28.90% of apprentices and trainees currently in training in Victoria were 19 years old or younger and an additional 34.80% were aged 20-24 years (NCVER, *Apprentices and trainees 2022 – March quarter DataBuilder*, 2022).

<sup>18</sup> Organisation for Economic Co-operation and Development, 2014, 'G20-OECD-EC Conference on Quality Apprenticeships for Giving Youth a Better Start in the Labour Market'

- **There is the potential for misaligned incentives in the apprenticeship system** because there are economic and financial incentives for employers and government to get more people into apprenticeships and traineeships without necessarily safeguarding against the safety and quality risks that can arise.<sup>19</sup> However, there are also substantial costs to government and industry from non-completion of apprenticeships or traineeships.

In combination with the challenges outlined in Section 1.5, these factors outline the importance of improved regulation of the apprenticeship system. They also further demonstrate the need to modernise and streamline the system more broadly.

## 1.7 Modernised regulation is important as the industry adapts to broader trends in employment and education

While reform is clearly necessary to drive safety and quality, it is also obvious that the system must be updated to reflect a changing world. A robust apprenticeship system is especially important considering a rapidly changing world of work and education – brought by social, economic, technological, and demographic factors – which creates new challenges for apprenticeship systems around the world. Apprenticeship systems need to:

- **Be flexible to meet diverse and shifting needs of apprentices, trainees, and employers to remain an attractive skills development mechanism.** Women, people with disabilities, people from culturally and linguistically diverse backgrounds and First Nations people remain traditionally underrepresented in apprenticeships and traineeships.<sup>20</sup> However, shifts towards more mature-age markets and increased participation by women are starting to emerge.<sup>21</sup> Cohorts with lower numbers of people, such as the older cohorts and female cohorts, are growing at a faster rate than traditional, younger cohorts.<sup>22</sup> The Victorian Government is also actively seeking to increase the diversity of apprentices and trainees in Victoria, partly because this is an excellent way to meet some of Victoria's rapidly growing workforce demand.<sup>23</sup>

- **Provide for and oversee different pathways into the apprenticeship system to connect employers efficiently and effectively to apprentices and trainees.** There has been recent growth (globally and in Australia) in 'higher apprenticeships', or those that lead to higher-level qualification (at the diploma level and above).<sup>24</sup> For instance, a 2021 report by the Australian Industry Group has called for more higher-level skills apprenticeships especially in light of skills required in the digital economy.<sup>25</sup> Some jurisdictions have reformed their regulatory framework to enable higher education apprenticeships, such as the United Kingdom<sup>26</sup> and South Australia.<sup>27</sup> These kinds of apprenticeships do not neatly fit in with legacy regulatory frameworks and funding models and risk developing outside the system without adequate protections.
- **Be responsive to structural changes in employment that change the relationship between employers and employees.** For instance, there has been growth in innovative models to better match labour supply and demand – such as labour hire arrangements – which create opportunities but also significant risks in relation to workplace exploitation and the quality and safety of apprenticeships and traineeships.<sup>28</sup>
- **Balance sustaining fundamental features of traditional apprenticeships with demands for innovation.** While apprenticeships have always combined on-the-job skills development with formal training, increasingly apprenticeships and traineeships are delivered through different delivery models, including those that are largely or entirely on-the-job.<sup>29</sup> In addition, there has been growth in innovative models of apprenticeships where an apprentice or trainee undertakes on-the-job experience in a range of different workplaces across adjacent industries. This can occur when an apprentice or trainee is employed by a GTO or a labour hire provider.<sup>30</sup> Changes in the mode of delivery for apprenticeships and traineeships raise opportunities for innovative skills development but also create challenges and risks for effective oversight of workplaces in which training occurs.

19 Richmond, T, Regan, E, 2022, 'No train, no gain – An investigation into the quality of apprenticeships in England', EDSK

20 Women are underrepresented in apprenticeships, however, are not underrepresented in many traineeships.

21 Department of Employment and Workplace Relations, 2022, 'Australian Apprenticeship Services and Supports Discussion Paper', Australian Government

22 NCVET, *Apprentices and trainees, 2022 – March quarter DataBuilder*

23 Apprenticeships Victoria, 'Women in apprenticeships and traineeships'

24 National Australian Apprenticeship Association, 2022, 'A blueprint for strengthening apprenticeships', page 14

25 The Australian Industry Group, 2020, 'An apprenticeship model for the modern economy'

26 Mulkeen, J, Abdou, H, Leigh, J, Ward, P, 2017, 'Degree and Higher Level Apprenticeships: an empirical investigation of stakeholder perceptions of challenges and opportunities', Studies in Higher Education

27 South Australian Skills Commission, 'Higher Education Apprenticeships and Traineeships', Government of South Australia

28 Forsyth, A, 2016, 'Victorian Inquiry into the Labour Hire Industry and Insecure Work', Industrial Relations Victoria

29 Choy, S, Bowman, K, Billett, S, Wignall, L, Haukka, S, 2008, 'Effective models of employment-based training', NCVET

30 This is discussed further in section 4.

- Adapt to changing training delivery models.**  
 The traditional model for training delivery to many apprentices is for formal training at TAFE or an industry or private RTO, where the apprentice attends the TAFE/RTO one day a week coupled with on-the-job training. In regional areas, training is sometimes delivered in 5-day blocks given travel requirements. Some vocations, such as plumbing, almost always utilise a 5-day training block regardless of travel requirements. The Workplace is also a training environment, where the apprentice or trainee learns and is assessed for required competencies. Increasingly, training and assessment is being delivered in the workplace only in some instances. This allows the apprentice or trainee to remain available to their employer but there may be risks to the quality of training provided.<sup>31</sup> In addition, formal training by TAFE/RTOs is increasingly being delivered online or remotely. Modernised regulation may need to consider the risks posed by these changing trends in the delivery of training.

These trends create challenges for apprenticeship systems – and the regulatory frameworks that oversee them – to manage risks inherent in these forms of training.

## 1.8 The Apprenticeships Taskforce was established to improve the system

In July 2023, the Victorian Government announced the establishment of the Taskforce to boost fairness and safety across Victoria, following an election commitment. The Taskforce was established to advise the Government and provide recommendations to improve safety in workplaces across the state, and to ensure that apprentices and trainees have a successful start to their career.<sup>32</sup> Key points from the Taskforce's Terms of Reference (ToR) are set out in Figure 4 below.

The ToR is included in full at Appendix A to this report.

Figure 4 | Excerpt of Taskforce ToR

The Taskforce will consider:

- regulatory arrangements, including clearer objectives and functions for the regulator
- improving responsiveness of regulators and streamlining actions and communications in the event of an incident
- strengthening screening processes and oversight of training plans
- simplifying complaint reporting for apprentices encountering mistreatment at work and supporting enforcement of remedies
- strengthening reporting and accountability of employers
- establishing a more rigorous process to ensure that employers who have mistreated apprentices – including by failing to pay wages and entitlements – are prevented from employing apprentices.

In making its recommendations the Taskforce will have regard to:

- the requirements of a modern apprenticeship system, including examples of best practice and work currently undertaken in other jurisdictions
- the regulatory environment and the extent to which it may discourage business from engaging apprentices as well as how businesses can be encouraged to engage apprentices
- interactions with any relevant Commonwealth regulation
- the application of workplace laws and instruments to apprentices and trainees, including the effectiveness of the enforcement of those laws
- the impact of apprentice and trainee pay and conditions on commencements, completions and long-term workforce needs, and
- limitations of Victoria's legislative powers over industrial relations.

<sup>31</sup> For example, where the workplace does not have the equipment required for the competencies to be taught and qualified trainers are not present on a regular basis to deliver the training.

<sup>32</sup> [Apprenticeships Taskforce Improving Safety And Fairness At Work | Premier of Victoria](#)

## 1.9 The Taskforce's work was informed by the lived experiences of apprentices and trainees

The lived experience of apprentices and trainees was at the heart of the Taskforce's work. The Taskforce was supported by the Apprentice and Trainee Reference Group (the Reference Group) which provides diverse apprentice and trainee perspectives and has been extensively consulted. The Reference Group comprised apprentices and trainees from across Victoria in a range of different occupations and locations.

The Group provided feedback on all the main recommendations developed by the Taskforce. In addition to the Reference Group 5 focus groups were held with apprentices and trainees from priority cohorts.

In addition, across its work, the Taskforce has also consulted widely with system stakeholders. These included:

- Sector support bodies and workers, including the Apprenticeship Employment Network, Head Start coordinators and Apprenticeship Support Officers.
- Unions relevant to the Taskforce's work.
- Employers and related bodies, including employer groups and GTO's.

- Advocacy and advisory bodies, including Empowered Women in Trades (EWIT), Women in Apprenticeships Advisory Group (WIAAG), The Koorie Youth Council, Tradeswomen Australia, and the Victorian Multicultural Youth Network.
- All 7 regulators, specifically Energy Safe Victoria, the Fair Work Ombudsman, the Labour Hire Authority, the VRQA, the Victorian Building Authority, Wage Inspectorate Victoria and WorkSafe.
- Other Government organisations, including relevant Government Commissioners and the Principal advisers group of the Senior Secondary Pathways Reform Taskforce.
- Educational stakeholders, including 5 secondary school principals and the Australian Centre for Career Education.
- Peak bodies relevant to the Taskforce's work.
- The Commonwealth Minister for Skills and Training.

The Taskforce's recommendations in this report reflect the lessons we have learned from these consultations, as well as our expert opinions as important and active stakeholders in this sector.



## 1.10 This report sets out the Taskforce’s vision and recommendations to the Victorian Government

Reflecting on issues already identified by stakeholders, Taskforce members and past Government work, we identified important recommendations for reform. Collectively, these recommendations represent the Taskforce’s vision for a modernised system, where the experience of all apprentices and trainees is improved. In particular, barriers to entry and completion for all apprentices and trainees including underrepresented cohorts such as women, First Nations people and people of CALD backgrounds should be alleviated, and issues of targeted harassment and bullying in the workplace must be reduced for all apprentice and trainee cohorts. The confusing regulatory landscape requires streamlining, making it easier for apprentices, trainees and employers to raise and resolve issues quickly. Further, regulatory powers, functions and oversight should be expanded, and obligations on employers increased.

This report sets out the Taskforce’s recommendations to the Victorian Government for ways to improve Victoria’s apprenticeship system, in line with the Taskforce’s overall vision. The recommendations are grouped in 3 broad categories, all primarily intended to improve the apprentice and trainee experience:

**1. The safeguarding ecosystem governing the system**, in particular the roles and responsibilities of the wide range of entities with oversight, support, and regulatory responsibilities. The support system and collaboration between key parties must be streamlined, to ensure the system works cohesively and can be understood by employers, apprentices, trainees, and other stakeholders.

**2. The regulatory framework overseeing Victoria’s apprenticeship system**, in particular the *Education and Training Reform Act 2006* (Vic) (the Act or ETRA), and how this legislation is administered and enforced. It is important that the legislative framework is fit-for-purpose, reduces risks for apprentices and trainees, supports a high-quality system and is aligned with and responsive to the modern world of work. Updates to the regulatory framework must also consider improved institutional arrangements to better oversee the system.

**3. The journey of apprentices and trainees through the system** to ensure adequate support and to provide for quality experience that gives them a strong start to their careers. It is especially important to improve retention and completion rates so that the benefits of the system to individuals and the State are realised.

The recommendations for each of these components of the system are, of course, interrelated. They should be understood as a package of reforms that will collectively improve the apprenticeship system, the outcomes it achieves and the experience of its participants.

Section 2 of this report summarises the recommendations. Sections 3, 4 and 5 each include a description of the current state, key issues identified by the Taskforce in its work to date, and its recommendations to Government. These chapters include ‘priorities for implementation’ that should be progressed immediately, and other medium to long-term reforms. Five priorities for implementation have been identified and labelled where they arise.

## 2. Summary of recommendations and supporting actions

The Taskforce’s engagement with stakeholders, review of existing issues, and sectoral expertise identified an urgent need to reform a system that is no longer fit for purpose at a time when there will be considerable growth in VET to meet new workforce needs. We propose 16 recommendations and 3 supporting actions to improve Victoria’s apprenticeship system, identified through desktop research and stakeholder engagement. Not all recommendations and supporting actions are strictly within the Taskforce’s remit but were identified as value-adding observations. All recommendations and supporting actions aim to improve apprentice and trainee experience. These are shown in Figure 5.

Recommendations that have been described as “priority for implementation” in the summary should be progressed immediately. These will alleviate pressing issues facing apprentices and trainees. The other recommendations regarding the should be progressed subsequently (or in parallel where possible), to continue driving reform. In particular, the information sheets (Recommendation 6) should be implemented within the next year. We recognise that legislative changes required to reform the regulatory framework will take a longer time but work to implement these changes should begin now, with the aim of implementing changes to the Act within this term of Government.

Figure 5 | Summary of recommendations and supporting actions

RECOMMENDATIONS AND SUPPORTING ACTIONS		
SAFEGUARDING ECOSYSTEM	<b>Recommendation 1</b> <i>Priority for implementation</i>	Mandate data sharing processes and regular meetings between regulators, initially through consistent statements of expectation requirements for all relevant regulators and then through regulatory reform
	<b>Recommendation 2</b>	Integrate the Commonwealth managed Unique Student Identifier (USI) with Victorian apprenticeship systems and data to establish a more accurate accounting of completion rates, more effectively track apprentices’ and trainees’ journey through the system and facilitate better coordination of supports across the system
	<b>Recommendation 3</b>	Streamline and strengthen collaboration of Commonwealth AASNs and Apprenticeship Support Officers to minimise duplication and support a system wide approach to Apprenticeship and Traineeship supports, where possible extending to industry partners and education providers
	<b>Recommendation 4</b> <i>Priority for implementation</i>	Establish a central help desk as a single point of contact for information, guidance and case management of complaints across multiple authorities
	<b>Recommendation 5</b>	Increase ASO numbers in stages (with the first stage to support the help desk) to ensure apprentices and trainees are adequately supported, particularly those not captured by specialist support services offered under new proposed AASN arrangements
	<b>Recommendation 6</b>	Provide information sheets at commencement to clarify roles, rights, responsibilities and expectations as well as provide contemporary information across the life of an apprenticeship or traineeship

## RECOMMENDATIONS AND SUPPORTING ACTIONS

### Recommendation 7\*

Establish an independent VET, apprenticeship and traineeship regulator with additional immediate support for VRQA to manage the transition, including a more proactive education and compliance monitoring approach in high-risk sectors (particularly construction and associated supply chains), supported by a permanent consultative industry committee inclusive of business and union representatives

### Recommendation 8 *Priority for implementation*

Modernise ETRA to clarify objectives, enhance safeguards and oversight, and improve system outcomes

- A. Amend the regulator’s purpose to include an apprenticeship-specific objective that emphasises a role in promoting safety and quality
- B. Define key terms in the Act to provide clarity about regulated entities and co-regulators
- C. Introduce an employer registration scheme using risk-based registration criteria and allowing for additional obligations on employers
- D. Introduce common outcome-based employer standards that provide for:
  - i. Safety of the workplace (cultural, physical and psychological)
  - ii. Supervision
  - iii. Quality of training
  - iv. Mentoring and support for apprentices
- E. Introduce new powers and tools to monitor and enforce compliance and undertake investigations with associated appeals mechanisms and allowing for joint and several responsibility at shared worksites
- F. Enhance oversight of training contracts
- G. Enhance use of training plans to promote quality
- H. Add provisions to facilitate sharing of information between regulators and oversight entities
- I. Introduce additional reporting requirements on the Regulator

### Recommendation 9

Legislatively provide for the VET, apprenticeship and traineeship Regulator to define apprenticeships and traineeships for the purpose of new qualifications following consultation with unions and industry

### Recommendation 10

Provide support legislatively or administratively for new employers and those who may otherwise not be able to comply with new requirements to meet standards via GTO ‘lite’ services

### Recommendation 11

Working with industry, ensure the benefit of education and support for new employers and those transitioning to the new regulatory standards (including access to time limited GTO-lite options) is achieved under the new regulator through the consideration of an appropriate and affordable funding policy

\*Part 2 of this recommendation (additional VRQA resources) is a priority for implementation.

## RECOMMENDATIONS AND SUPPORTING ACTIONS

### Recommendation 12

Establish a 'gender equity employer list' to assist female apprentices to find supportive employers

- **Stage 1:** Establish an initial employer voluntary pledge for those that commit to employing women, providing appropriate hygiene facilities, providing uniforms appropriate for women and ensuring support on-site or offsite. (*Priority for implementation*)
- **Stage 2:** Implement a recognition program that includes assessment of applications and audit of employer workplaces.

### Recommendation 13

Develop a financial package of support for apprentices and trainees including options to address the initial burden of fees on apprentices and trainees, support for debt recovery measures for TAFE's and free public transport

### Recommendation 14

Advocate to the Commonwealth to lift wages to minimum rates of pay along with consideration of appropriate support for employers, improve standardisation across awards, provide a Commonwealth Health Card and consider improvements to rental support

### Recommendation 15

Promote a pipeline of quality TAFE trade teachers with early provision of Training and Education (TAE) Certification (ensuring work experience requirements are met) throughout industry career lifecycles, seeking short secondments or sessional arrangement from employers for onsite and offsite specialist training, and developing a dedicated 'bridge to retirement' for workers seeking a change of roles

### Recommendation 16

Support apprentices and trainees to access small business skills and support pathways to licensing where required in their final year to better prepare apprentices for their future

### Supporting action 1

Actively promote apprenticeships and traineeships as attractive career paths

- A. Promoting apprenticeships in schools
- B. Promoting pre-apprenticeships
- C. Identifying recruitment sites
- D. Coordinating reforms with the HeadStart program

### Supporting action 2

Explore opportunities to provide ongoing mentoring support

### Supporting action 3

Establish ongoing formal consultation with apprentices and trainees

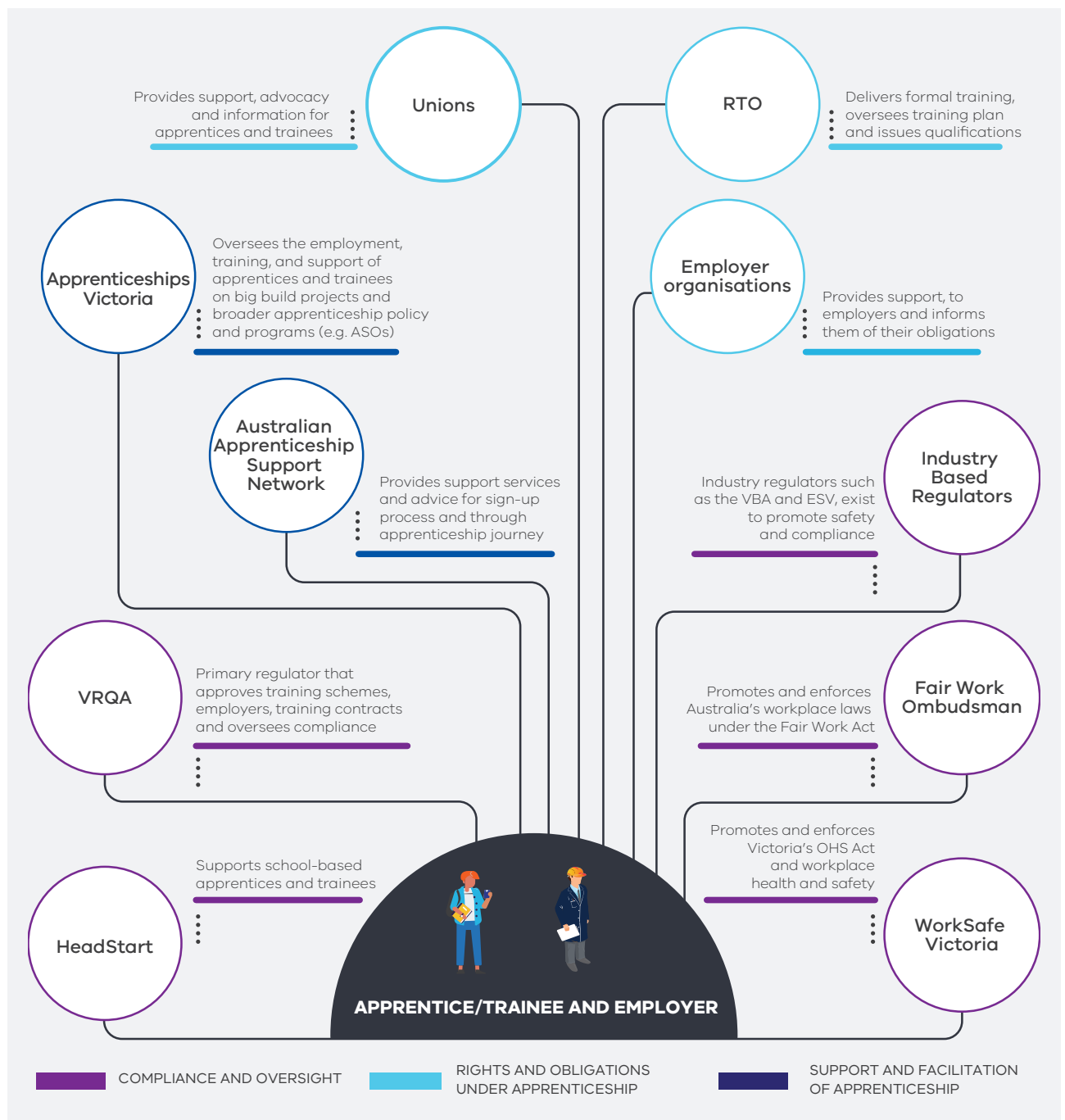
# 3. Safeguarding ecosystem

This section begins by describing the current state – focussing on the role of different oversight bodies within the system – before setting out the key issues identified by the Taskforce with the safeguarding ecosystem. It then sets out 5 recommendations to improve the regulatory framework.

## 3.1 Current state

There is a range of different entities with oversight, regulatory, coordination and support roles in Victoria’s apprenticeship system. The regulatory ecosystem is depicted in Figure 6. The following section provides a high-level overview of the role of each entity in the system, focusing primarily on the VRQA.

Figure 6 | Stakeholders involved in the safeguarding landscape



### 3.1.1 The VRQA is the primary regulator of Victoria's apprenticeship system

The VRQA, established under Part 4.2.1 of the Act, is responsible for regulating apprenticeships and traineeships and monitoring and enforcing compliance with the Act. Its roles and functions are shown in Table 1 below.

Table 1 | Role and functions of the VRQA across the system

Key feature	Role of the VRQA	Functions and powers
<b>EMPLOYER APPROVALS</b>	Responsible for determining the requirements employers must meet for approval.	<ul style="list-style-type: none"> <li>Impose conditions on approval (section 5.5.7(3)).<sup>33</sup></li> <li>Authorised officers may conduct site visits to ensure obligations under Part 5.5 of the Act are met (section 5.8.3(1)(a)).</li> <li>Revoke approval at any time, including where conditions have been breached (section 5.5.7(4)).</li> </ul>
<b>TRAINING SCHEMES</b>	Determine what qualifications can be completed under an apprenticeship or traineeship in Victoria, this includes: confirming probationary periods, credit arrangements and minimum hours per week for employment and training (section 5.5.2).	<ul style="list-style-type: none"> <li>Approve and publish new training schemes.</li> </ul>
<b>TRAINING CONTRACT</b>	<p>May determine the terms of a training contract (section 5.5.14(1)).</p> <p>Responsible for approving the training contract.</p> <p>The VRQA may refuse the training contract if it does not comply with the requirements set by the Authority or the Act (section 5.5.10(3)).</p> <p>Can reduce or extend the terms of a training contract (section 5.5.14(2 – 3)).</p>	<ul style="list-style-type: none"> <li>Set the form and particulars required in training contract (section 5.5.10(1)).</li> <li>Order the cancellation or suspension of the training contract (section 5.5.15(2)).</li> <li>Determine any questions and determine grievances between the employer and apprentice about the training contract (section 5.5.1.7).</li> <li>Establish and maintain a register of apprentices who have entered into training contracts (section 5.5.23).</li> </ul>
<b>OVERSIGHT OF KEY FEATURES</b>	Responsible for monitoring compliance with the requirements relating to apprentices (section 4.2.2(nb)).	<ul style="list-style-type: none"> <li>Enter any site where an apprentice or trainee is employed for compliance activity.</li> <li>Require the employer to produce any documentation relating to employment of apprentice.<sup>34</sup></li> </ul>

While the VRQA is responsible for regulating the apprenticeship system, under section 5.2.21 of ETRA the VRQA is permitted to delegate certain compliance monitoring powers and functions to private entities (called 'approved training agents'). Approved training agents may be given delegated power to: oversee employer approvals; reduce or extend the terms of the training contract; and cancel or suspend training contracts.

Approved training agents are authorised through Government Gazettes. Prior to July 2023, Authorised Officers were outsourced by the VRQA through Busy Group Ltd. They are now employed directly, as per a Ministerial Statement of Expectations. These officers undertake field checks for the VRQA and may initiate compliance and enforcement action.

<sup>33</sup> Conditions may include: limiting the number of apprentices that the employer may have in the employer's employment at any one time and any other matters the VRQA thinks fit.

<sup>34</sup> *Education and Training Reform Act 2006 (Vic)*, section 5.8.3 (1)

### 3.1.2 Several other entities have oversight, support, coordination and co-regulatory roles

In addition to the VRQA, a range of other entities have a role in providing oversight of apprentices and trainees in different forms. This includes:

- **The Commonwealth Government** influences and supports apprentices through financial incentives and the Australian Apprentice Support Network (AASN). The Commonwealth Government provides financial assistance to employers, apprentices, and trainees in the form of payments and wage subsidies to promote apprenticeships and traineeships in priority occupations across the country.<sup>35</sup>

These programs seek to influence the shape and growth of apprenticeships and traineeships in Victoria and focus on identified occupations and qualifications linked to the Australia Government Priority List for skills shortages. Commonwealth incentives and funding are facilitated through the AASN which is made up of 7 Apprenticeship Network Providers (ANP)<sup>36</sup> contracted by the Commonwealth Department of Education and Workplace Relations (DEWR). They provide a network across Australia to make it easier for employers to recruit, train and retain apprentices and trainees, and support apprentices or trainees towards high quality outcomes and completions.<sup>37</sup>

The ANPs are a point of contact for apprentices, trainees, and employers for queries relating to apprenticeships and traineeships, including facilitating sign-ups. In Victoria, the ANPs also assist in facilitating the employer approvals process. Training contracts and training plans are also directly lodged with ANPs. This program is currently being recontracted by the Commonwealth. The Commonwealth is also undertaking a Strategic Review of the Australian Apprenticeship Incentive System.

- **Apprenticeships Victoria** provides support and oversight to some apprentices. Apprenticeships Victoria sits within the Department of Jobs, Skills, Industry and Regions and is responsible for apprenticeship policy and the delivery of several programs that support a strong pipeline of quality apprentices and trainees. This includes the Big Build Apprenticeship Program and the Retrenched Apprentices and Trainees Program. They also support apprentices, and their employers through the Apprenticeships Support Officer (ASO) Program (a Victorian Government initiative). ASOs help apprentices across all trade areas, and assist with offering mentoring, information, and support in navigating workplace and training issues, including referrals to other support services (such as drug and alcohol counselling, mental and physical health and wellbeing, financial and housing support) and regulators (such as where there are workplace safety concerns).
- **Head Start Coordinators** provide wrap around support to students in government schools, helping them identify and manage the correct training pathway for their circumstances and to balance school, work and training. Through Head Start, young people in government schools have a supported option to commence an apprenticeship or traineeship including:
  - paid on-the-job training whilst working towards a senior secondary qualification
  - careful matching of students and employers to set both up for success
  - support for students through the SBAT to help them manage the challenges of school, work and training
  - flexibility to work outside of school hours and terms where that suits the student.
- **Secondary Schools** have responsibility for effective oversight of SBAT arrangements, including supporting the student and ensuring a direct link with their career plans.

<sup>35</sup> Department of Employment and Workplace Relations, 2022, 'Australian Apprenticeship Background Paper', Australian Government

<sup>36</sup> Notably, of these 7, only 4 operate in Victoria.

<sup>37</sup> Department of Employment and Workplace Relations, 2022, 'Australian Apprenticeship Background Paper', Australian Government

- **TAFE, industry and private RTOs** deliver formal training, develop training plans and provide supports. RTOs deliver the training in a relevant VET qualification – to apprentices and trainees. An RTO is not a party to the training contract; however, they are named in the contract. RTOs who deliver Skills First subsidised training to apprentices and trainees are also required to meet several obligations and guidelines. This includes:
  - notifying the regulator of specific events that affect the apprenticeship or traineeship (including of death or serious injury)
  - contacting the employer and apprentice or trainee (including site visits)
  - keeping the training plan up to date and monitoring progress against it.
- **Employers are responsible for delivering quality on-the-job training.** The Act places various obligations on employers that employ an apprentice under a training contract. This includes:
  - ensuring the apprentice is trained in accordance with an approved training scheme (s 5.5.8(1)(a))
  - allowing the apprentice to comply with the approved training scheme (including allowing the apprentice to attend formal training during work hours (section 5.5.8(1)(b))
  - arranging for the apprentice to be enrolled in a training course within 3 months after commencement of the training contract and ensuring the training plan is signed by the employer, apprentice and training provider (section 5.5.13).
- **Regulatory bodies such as the Fair Work Ombudsman (FWO) and WorkSafe Victoria provide/promote safe and productive workplaces.** The FWO works to uphold Australia’s industrial relations laws through investigations and enforcing compliance, which is applicable to apprentices and trainees. Similarly, WorkSafe Victoria functions to enforce Victoria’s OHS laws, to ensure that unsafe work practices and workplace injuries are avoided. Wage Inspectorate Victoria is responsible for promoting and enforcing Victoria’s long service leave, child employment, owner driver and forestry contractor laws.
- **Industry Based Regulators such as the Victorian Building Authority (VBA), Labour Hire Authority, and Energy Safe Victoria (ESV) oversee specific industries.** Construction, plumbing, and electrical and labour hire industries are subject to specific regulatory standards, occupational registration or licensing and compliance and oversight.
- **Apprenticeship Support Officers (ASOs) play a crucial role by offering a free and confidential support and advice service.** This means apprentices can receive help with the workplace, training or personal issues that often affect apprenticeships. There are 29 ASOs working out of 13 sites across the state, providing a local service in Melbourne and in regional Victoria. In addition to direct supports, ASOs also refer apprentices to specialised support services for mental and physical health and wellbeing, drug and alcohol counselling and financial or housing assistance. ASOs also support apprentices to raise issues with regulators where the apprentice is concerned for their workplace safety or wellbeing.
- **AASN providers suggest training delivery options, prepare the Training Contract, and explain everyone’s rights and responsibilities at the start of an apprenticeship.** They will also advise of any incentives the employer or apprentice/trainee is entitled to. ANPs and the Commonwealth incentives program are funded and managed by the Commonwealth Government. ANPs also offer job matching and in-training support. From 1 July 2024, new Australian Apprenticeship Support Service arrangements will be implemented. These will include enhanced support to apprentices and trainees from key client groups, including women in male-dominated trades, First Nations, people with disability and apprentices located in remote Australia. They will also be required to provide further support to employers, including pre-signup and post-signup assessment services.
- **Unions can help negotiate apprenticeship agreements with employers, supporting fair wages, benefits, and equitable working conditions.** They also help guide training programs, providing input on classroom instruction, on-the-job training, and mentorship opportunities. Additionally, unions advocate for fair wages, job security, and representation, acting as an important voice to address issues such as discrimination and unfair treatment in the workplace.
- **Employer associations/peak bodies provide support and, where required, advocacy for employers.** In the context of apprentice and trainee safeguarding, the primary function of employer associations is educating and supporting employers to understand their rights and obligations.



## 3.2 Key issues

The safeguarding ecosystem overseeing Victoria's apprenticeship system does not effectively promote quality and guarantee safety for apprentices and trainees. This is both because important entities do not work well together, and fundamentally are not designed in a way that promotes system outcomes. We have identified 3 key issues in the safeguarding ecosystem that inhibit apprentice and trainees' ability to navigate the system and address issues. They also make it difficult for employers and regulators to understand roles, obligations and accountabilities:

1. Apprentices, trainees and other stakeholders are confused by the complex ecosystem
2. Existing support systems have gaps in service provision
3. Oversight of the system is not well coordinated or intelligence-led.

Each issue is discussed below.

### 3.2.1 Apprentices, trainees and other stakeholders are confused by the complex ecosystem

Victoria's apprenticeship system includes many different entities with whom apprentices and trainees interact with over the course of their apprenticeship or traineeship. Many of these entities have similar responsibilities. A complex and fragmented regulatory ecosystem contributes to stakeholder confusion and compromises system performance in the multiple ways, detailed below.

#### A plethora of oversight entities creates fragmentation

For the system to work effectively, apprentices and trainees must engage with and be supported by various entities that play essential roles in their training and work experiences. Entities such as Apprenticeships Victoria, the VRQA, and ANPs have responsibilities in providing advice, support, guidance, and overseeing system coordination. However, apprentices and trainees find it extremely difficult to navigate this system. The absence of a central point of contact for apprentices and trainees when issues arise may contribute to stakeholder confusion and hinder early issue resolution. Challenges apprentices and trainees face with their employers can go unaddressed, leading to unresolved issues and increased trauma.

In addition, there is not currently a central and comprehensive information repository that provides a 'single source of truth' for employers and regulators to understand and monitor the system. Many different organisations have information about their system on the website, resulting in an unnecessarily complicated and unhelpful informational landscape for stakeholders. This failing can mean vulnerable apprentices and trainees fall through the cracks.

#### Limited awareness of the VRQA's role undermines effective regulation

The VRQA is not well understood by stakeholders. Both apprentices and employers are largely unaware of the VRQA's role. For instance, a 2020 report found that most apprentices and employers were not aware of the VRQA's role and responsibilities.<sup>38</sup> Although there has been an effort to enhance visibility, a substantial proportion of apprentices and trainees remain uninformed about the VRQA's functions. Low rates of formal complaint often reflect apprentice and trainees' unwillingness to make complaints for fear of retribution. However, low awareness of the VRQA and its role is also thought to contribute to lower complaints, risking that unacceptable working conditions will go unnoticed and unresolved. Despite progress, between 2018 and 2021, the VRQA only received 5 to 7 complaints per year.<sup>39</sup> This limited awareness also poses challenges for the VRQA in promoting compliance and providing support to regulated entities for the delivery of quality training outcomes.



*No awareness of support services or who to reach out to ... it's too hard to get on to these people because they are such giant bureaucracies*

- Apprentice

38 Research commissioned by Apprenticeships Victoria

39 ibid

### 3.2.2 Existing supports do not meet apprentices' and trainees' needs

While support programs exist, they currently do not provide the level or type of support required to ensure a safe and quality experience for all Victoria's apprentices and trainees. There are several reasons for this, all of which are outlined below.

#### Overlap and gaps in the support system can make it hard for apprentices and trainees to find help

ASOs, AASNs and other entities help apprentices and trainees understand and navigate the system. Yet, apprentices and trainees often feel as though they do not know where to go for support. Some are not aware of any services, while others are confused about which regulator or support body to contact. This is compounded by duplication and gaps between Head Start, ASOs and AASNs – for instance, AASNs play a critical role at commencement, particularly advising apprentices, trainees and their employers about apprenticeships, including their rights and responsibilities. The ASO program also focusses on the earlier part of the apprenticeship, proactively targeting young first year apprentices. Head Start supports students while still at school. This may confuse first years and leave those in later years unsure of who to contact. Schools, TAFEs and some private and industry RTOs also have their own support systems in place. Apprentices and trainees expressed a clear desire for a 'single point of contact' to simplify these issues.

Importantly, this often occurs against the backdrop of considerable power imbalance which can make it difficult for apprentices or trainees to represent themselves when issues or disagreements arise with their employer.<sup>40</sup> Members of the Taskforce Apprentice and Trainee Reference Group and members of the Taskforce reported that fear of losing their job or other retribution from an employer is a common reason for not raising issues and complaints.



*It is hard to find the right person to talk to about your issues at work and not get stuffed around*

- Apprentice

40 Past Apprenticeships Victoria work

41 Research commissioned by Apprenticeships Victoria

42 Past Apprenticeships Victoria work

### Apprentices, trainees and employers do not always understand roles, responsibilities and rights at the commencement of training

Apprenticeships and traineeships require an employment contract regulated by the Fair Work Ombudsman and a Training Contract regulated by the VRQA. These provide for an extensive range of entitlements and obligations for apprentice, trainees, and their employers. However, evidence indicates that apprentices, trainees and employers (particularly small employers) often do not understand their rights, responsibilities, and obligations, and do not find it easy to access this information in a form that is easy to understand.<sup>41</sup> While this is currently a responsibility of AASNs, the Taskforce consistently heard from stakeholders that employer education must be bolstered to overcome this gap in critical knowledge. A shared understanding of the relationship between the apprentice or trainee and their employer can help to prevent issues from arising and increases the likelihood of completing the training. Research recently conducted for the VRQA concluded that it was important to set clear expectations about the nature of this relationship and what is expected of each party.<sup>42</sup>

Case Study 1 shows what can happen when issues arise and an apprentice does not know their rights.

#### Case Study 1 | 'A', Certificate III in Electrotechnology apprentice

'A' began his apprenticeship with a small company installing solar panels. He should have been promptly enrolled in formal training, but his boss delayed his start at TAFE for 6 months, arguing he was needed on site. His boss also began docking his pay to repay a debt the company had incurred due to a customer demanding compensation for shoddy work.

'A' contacted the FWO for advice but says he was told to discuss it directly with his boss. He was later injured in a fall from an unstable ladder, one of many safety issues he says were largely ignored by his employer, including no OHS induction, a reluctance to install guard rails on roofs or fit his team members with safety harnesses and rushing to complete jobs.

As he was recovering, his boss pressured him to return to work and threatened to cancel his apprenticeship, so 'A' quit. He contacted an Apprenticeship Support Officer who identified a number of other issues and helped 'A' find a lawyer who worked pro bono to secure partial repayment of monies owed. It is unclear whether his boss ever reported 'A's' workplace accident to WorkSafe, but his employer was later successfully prosecuted by WorkSafe for a separate incident of a similar nature.



*From the very beginning  
of the apprenticeship  
or traineeship, we have to chase  
up information, and the lines  
are blurred from the start*

- Trainee

**There are insufficient resources to adequately support apprentices and trainees and oversee the system**

In addition to system complexity and confusion, limited resources present another barrier for apprentices and trainees to access supports. Resourcing constraints are most prevalent in 2 areas:

1. **VRQA:** While legislative constraints are the primary barrier to effective regulation, the Taskforce has also heard that the VRQA has limited resources to undertake proactive compliance monitoring activities. Additional resources could improve risk-based compliance monitoring and education, especially prior to legislative change.
2. **ASOs:** The ASO program focusses only on apprentices. The program could be better funded to meet demand for its services and extend support to trainees. A lack of support resources can prevent apprentices and trainees from seeking and receiving help and reporting issues.<sup>43</sup>



*Not enough support  
on site*

- Trainee

**Tailored support for traditionally underrepresented cohorts is insufficient**

Gender imbalance has been an issue in apprenticeships for many years.<sup>44</sup> In Australia, only one in 9 trade apprentices in training are female, with many women reporting that these workplaces are uncomfortable places to work.<sup>45</sup> Despite this, recent trends on key diversity indicators show that the number of female apprentices in training has grown faster than male apprentices between 2020 and 2022.<sup>46</sup> This increase in diversity has not been adequately accompanied by support mechanisms for underrepresented cohorts, who often are subject to bullying and harassment at work.<sup>47</sup> These experiences contribute to needlessly high non-completion rates, as female apprentices fear for their safety at work and do not feel supported to make complaints or seek help. Female apprentices are particularly at risk of feeling unsafe or unsupported given the prevalence of unacceptable incidents that have taken place. For example, the Taskforce has been provided with several accounts of gendered violence and harassment by their employer or on the worksite. Stakeholders reported that women and other underrepresented individuals that complete their apprenticeship often do so “in spite of the system, rather than because of it.”<sup>48</sup>

Case Study 2 describes the experience of a female apprentice who was severely mistreated in her workplace, highlighting the urgent need for reform.

**Case Study 2 | ‘B’, Female apprentice**

One female apprentice spoke to the significant impact that ongoing workplace sexual harassment and assault had on her. She described a male colleague ripping her shirt open in front of the whole workshop, and then blaming it on her as if she had done it herself. She also spoke of her colleagues touching her inappropriately on a regular basis and how disgusting they were in their treatment of her. She explained that this behaviour continued for 6 months and by the end, she thought she would die either by suicide or through harm from the men in her workplace because she was so distressed and fearful. She was also afraid of her boss, so had no avenue to raise the behaviours with him. ‘B’ was eventually medicated for stress and anxiety.

43 Discussed in Taskforce Meeting 4

44 E Smith, 2021, ‘The expansion and contraction of the apprenticeship system in Australia, 1985–2020’, Journal of Vocational and Education & Training [www.tandfonline.com/doi/full/10.1080/13636820.2021.1894218](https://www.tandfonline.com/doi/full/10.1080/13636820.2021.1894218)

45 NCVER June 2023 Quarterly data

46 Research commissioned by Apprenticeships Victoria

47 Past Apprenticeships Victoria engagement with apprentices

48 ibid



*Felt like they wanted me to fail,  
and I didn't want to give  
them the satisfaction*

- Female Apprentice

### 3.2.3 Oversight of the system is not well coordinated or intelligence-led

Entities with oversight responsibilities of the Victorian apprenticeship system do not currently work together optimally to improve system outcomes and performance. This is partly a function of limited data and information on the journey of apprentices and trainees through the system, as explained below.

#### **Poor quality or safety can go unnoticed because information sharing practices are not systematic and do not support effective co-regulation**

In a regulatory system with many entities that have overlapping functions and responsibilities it is important for information sharing practices to support intelligence-led approaches to regulation. Otherwise, apprentices and trainees who have raised concerns with one entity may not be known to another. Serious incidents or ongoing harm could be reduced through better cooperation, where all parties are aware of employers, apprentices and trainees that require greater attention.

Information sharing practices in Victoria's apprenticeship system are currently patchy and do not support timely, consistent and comprehensive sharing of information between parties. For instance:

- While the VRQA has a range of Memoranda of Understanding (MOUs) with different parties – including WorkSafe Victoria – often data is not shared proactively, and systems across the different regulatory entities do not enable automatic notifications.
- While section 5.5.26 of the Act gives permission for the VRQA to share information with any public sector body relating to the performance of a function, stakeholders report difficulties in accessing certain data and information in a timely manner.

These examples reflect a range of technological, cultural, practice-based, and legislative barriers. They are indicative of a lack of a culture of information sharing and the limited availability of appropriate systems to facilitate timely sharing of information. In addition, ETRA currently does not include any requirements for employers of apprentices or trainees to notify the VRQA when certain workplace incidents occur. Limited information sharing between regulators is common, which undermines the system's ability to adequately care for apprentices and trainees. There are no formal processes in place to guarantee that information sharing consistently happens.



*We don't keep records of what  
has been provided to VRQA*

- Regulator

#### **Oversight entities do not have a single view of apprentices and trainees' journeys through the system**

- Regulators and other oversight bodies currently have limited visibility of the journeys of apprentices and trainees through the system over the course of their training. Different bodies collect, store and manage data in different systems. These include Ready Apprentice (used by ANPs); the Australian Data Management System (used by ANPs, regulators and apprentices); Epsilon (the official register of Victorian apprenticeships and traineeships maintained by the VRQA); individual student management systems used by RTOs and the Skills Victoria Training System (used by training providers). These systems often do not interact effectively and some have limited functionality and data fields to store information.
- The range and fragmentation of systems used in the apprenticeships system presents a barrier to comprehensive data collection and storage and the timely sharing of data. It also makes early identification of and response to issues facing apprentices and trainees difficult. Limited data, especially on completion rates, also limits the ability for intelligence-led regulation and system oversight.

### 3.3 Recommendations to improve the safeguarding ecosystem for apprentices and trainees

The Taskforce proposes 6 recommendations to improve the safeguarding ecosystem surrounding Victoria's apprenticeship system to address the issues identified above. This includes shorter-term reforms to enhance system collaboration and coordination within the current institutional arrangements, as well as longer-term substantial reform to these arrangements.



*We need to formalise the processes, so things don't fall through the cracks*

- Regulator

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RECOMMENDATION **01** Mandate data sharing processes and regular meetings between regulators, initially through consistent statements of expectation requirements for all relevant regulators and then through regulatory reform (*priority for implementation*)

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#### Description

The Taskforce recommends that existing formal processes and protocols to support effective co-regulation are enhanced and supplemented to improve information sharing between entities and coordination of regulatory and oversight activities. This should include:

- **Introducing quarterly meetings of all 7<sup>49</sup> regulators to improve accountability for data sharing and information exchange.** This could supplement or replace the existing Operational Working Group of Regulators. These quarterly meetings should have information sharing as a standing item where all information exchanges are reported.
- **Implementing simplified and consistent MOUs between the primary regulator and the other 6 regulators.** The MOUs will support a cultural commitment to information sharing where the expectation is all information is shared, except that limited by legislation.
- **Amending Statements of Expectation (SoEs) for all 6 Victorian regulators.** This should establish information sharing as an expectation of Government, and that regulators are expected to actively collaborate on safeguarding apprentices and trainees.

- **Seeking agreement with the Commonwealth government on information sharing.** Specifically, between 2 Commonwealth agencies, the Fair Work Ombudsman and the Department of Employment and Workplace Relations, and the Victorian Department of Jobs, Skills, Industry Regions as well as the primary Victorian regulator of apprentices and trainees.
- **Undertaking regulatory reform to formalise information sharing.** This is outlined in further detail as part of the reforms to ETRA recommended in Section 4.3.

#### Rationale

This recommendation would help to improve coordination between regulators and entities enabling early identification of issues and coordination of effort to monitor and enforce compliance. This will improve regulatory outcomes and support a more efficient regulatory ecosystem. Protocols and processes can be refined over time, as required, to support effective co-regulation. This can be implemented immediately though will be enhanced and supported in the longer-term by legislative provisions to enhance information sharing proposed in Section 4.3.

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49 Energy Safe Victoria, the Fair Work Ombudsman, the Labour Hire Authority, the VRQA, the Victorian Building Authority, Wage Inspectorate Victoria and WorkSafe.

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RECOMMENDATION

02

**Integrate the Commonwealth managed Unique Student Identifier (USI) with Victorian apprenticeship systems and data to establish a more accurate accounting of completion rates, more effectively track apprentices' and trainees' journey through the system and facilitate better coordination of supports across the system**

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**Description**

The Taskforce recommends that, as part of its advocacy and closer work with the Commonwealth, the Victorian Government should explore opportunities to integrate apprenticeship data in Victoria with the Unique Student Identifier (USI) managed by the Commonwealth Government. The USI is a reference number for each VET student.<sup>50</sup>

This would involve improved data sharing with the Commonwealth (using USI) data as well as significantly expanding the use of the USI to track apprentices and trainees' journeys through the VET system, including SBATs if possible. Importantly, it would be a significant undertaking to understand whether and how current information platforms and data systems used by stakeholders in the Victorian apprenticeships system could incorporate the USI to support better sharing of information and a single view of the journey of apprentices and trainees through the system.

**Rationale**

A single, integrated view of apprentices and trainees' progression through their schooling, training and studies would help to improve understanding of issues within the system (including completions data) and to identify opportunities for early interventions to emerging issues facing apprentices and trainees.

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RECOMMENDATION

03

**Streamline and strengthen collaboration of Commonwealth AASNs and Apprenticeship Support Officers to minimise duplication and support a system wide approach to Apprenticeship and Traineeship supports, where possible extending to industry partners and education providers**

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**Description**

The Taskforce recommends that Victoria work with the Commonwealth to improve collaboration on reducing potential overlap in roles and functions of AASNs, Head Start and ASOs. This should involve a detailed process to identify and agree gaps and overlap in service provision and develop a clear plan to reduce overlap and fill gaps in service delivery, noting a window of opportunity exists with the recontracting of the AASN service. Gaps may be partially addressed by Recommendation 4 below, so these initiatives should be delivered in parallel. Further duplication with GTO field officers must also be addressed via this initiative.

Identifying where an apprentice is receiving multiple supports at the same time can be facilitated by the USI, as recommended above.

**Rationale**

While AASNs, ASOs, Head Start and GTO field officers all intend to streamline the apprentice and trainee experience, the existence of 3 (sometimes 4) bodies with sometimes overlapping responsibilities may have the opposite effect. Stronger collaboration, in conjunction with increased ASO capacity (below), a new help desk (below) and improved information sharing (above), will streamline the system for apprentices and trainees and help to fill gaps in service provision.

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<sup>50</sup> [www.education.gov.au/unique-student-identifier-usi](http://www.education.gov.au/unique-student-identifier-usi)

**Description**

The Taskforce recommends that the Victorian Government establish a centralised help desk with a case management function, to provide a single front door for apprentices, trainees and employers to receive information, guidance and support. This is particularly important on serious matters that may require referral to a regulator. This should be staffed through an insourced and expanded Apprenticeship Support Officer (ASO) program within Apprenticeships Victoria, with designated and specially trained help desk ASOs. Industrial expertise should also be included on the help desk.

The help desk should provide a first port of call for apprentices, trainees and employers. It would triage inquiries and provide a case management function for serious issues, such as not being released for training, safety concerns in the workplace and underpayment of wages.

Where the matter is a complaint, the complaint would be lodged through a nominated pathway with the appropriate regulator, and the issue tracked and monitored through a shared database. The case management approach would ensure that apprentices and trainees have a single point of contact and are supported throughout their complaint, with regular proactive contact from the case manager.

The help desk should be an adjunct to the ASO program with specially trained ASOs employed to staff the help desk, with the ability to flexibly deploy help desk ASOs to the broader program (or vice versa) to accommodate peaks and troughs in demand. The help desk would also be supported by a communications campaign targeting apprentices and trainees, and work in close cooperation with all regulators and coordinate with Commonwealth AASN providers.

This collaboration should seek to avoid duplication with existing and planned responsibilities of AASNs, particularly around sign-up. Implementation of this recommendation should focus on clarifying the role of the help desk within the support system for all stakeholders.

Implementation should also ensure that there is adequate support and engagement from all regulators. Updated Statements of Expectations should be issued to outline these requirements, with particular focus on the need for regulatory staff to train help desk staff and for each regulator to specify a point of contact and responsibility for help desk matters.

**Rationale**

A central help desk with a case management function will help meet the urgent need to provide apprentices and trainees with a safe single front door to the system. It will improve the provision of appropriate and timely support to apprentices, trainees and their employers, including by connecting the person with the relevant regulator(s) where required. This should increase early issue identification and response, thereby preventing issues from escalating. Apprentices and trainees have a significant power imbalance between them and their employers and struggle to raise issues without significant assistance. Employers would also benefit from timely advice where they are unsure about their obligations or are worried about their apprentice or trainee.

## Increase ASO numbers in stages (with the first stage to support the help desk) to ensure apprentices and trainees are adequately supported, particularly those not captured by specialist support services offered under new proposed AASN arrangements

### Description

The Taskforce recommends that the Victorian government bolster ASO capacity. The ASO program should be provided with additional resources to meet system demand. Sufficient resources should be provided to enable ASOs to support trainees and other out of target cohort apprentices (ASOs target first year apprentices not employed by a GTO. The Victorian Government separately subsidises GTOs to support apprentices and trainees). This recommendation relates to the provision of additional ASOs, eventually in addition to the ASOs to be employed for the help desk.

Implementation of this recommendation should consider the proposed reforms to the AASN system that are currently due to be implemented in July 2024.

### Rationale

Lack of support to overcome issues, a general lack of belonging and having to deal with a complex system are major contributors to high non-completion rates.<sup>51</sup> Providing ASO support to apprentices beyond first year and all trainees will assist them in navigating the system and create avenues for mentoring and advice. When consulted, Apprentices and Trainees felt that increasing ASOs would be beneficial to provide personalised and consistent communication throughout the apprentice and trainee journey. There was strong support for a 'familiar face' to guide individuals.<sup>52</sup>

## Provide information sheets at commencement to clarify roles, rights, responsibilities and expectations as well as provide contemporary information across the life of an apprenticeship or traineeship

### Description

The Taskforce recommends that the Victorian Government develop clear and accessible information sheets that should be provided to all apprentices, trainees and their employers at commencement. These should clearly state the roles, responsibilities and expectations of both parties across the course of an apprenticeship or traineeship.

In the first instance, specific information sheets should be developed for the most popular 10 occupational areas for apprenticeships and traineeships (by in-training numbers). These should include information relating to wages (from the relevant award), conditions, training, and where to seek help. These should be updated as necessary to ensure information remains relevant.

There should also be a generic information sheet for all other apprentices and trainees which excludes specific award information.

Consideration should be given to:

- Expanding the coverage of information sheets after field testing the initial 10.
- Finding the best way of distributing this information to apprentices, trainees and employers considering multiple channels and avenues to provide reminders about the availability of the information sheets. AASNs may be well placed to distribute at commencement.
- Ensuring that the information sheets are made available post-commencement. Apprentices and trainees are provided with a great deal of information at commencement, and questions or issues may not arise until later.

<sup>51</sup> Research commissioned by Apprenticeships Victoria

<sup>52</sup> *ibid*



## Rationale

An accurate and shared understanding of roles, responsibilities and rights at commencement will help to improve the experience of apprenticeships and trainees from sign up and reduce the chance of issues arising over the course of an apprenticeship or traineeship.

Providing employers with guidance materials on the importance of supporting apprentices and trainees to safely complete their training will also help to encourage compliance with obligations, including providing an appropriate workplace and supervision.

An example information sheet is shown in Figure 7. See Appendix D for the full documents.

Figure 7 | Example information sheet

**ESSENTIAL INFORMATION ABOUT YOUR  
RESIDENTIAL  
CONSTRUCTION  
APPRENTICESHIP**

Department of  
Education, Skills and  
Employment

This sheet contains general information for an apprentice carpenter, joiner, carver, floor sander, letter cutter, stonemason, artificial stoneworker, marble and slate worker or tile layer. Information here is designed to supplement your Training Contract – not replace it.

It contains essential information about your training arrangements, safety, wages and conditions and will help you understand your rights and responsibilities as an apprentice. You will find contacts here to get the right help early if any issues or concerns arise.

**YOUR TRAINING DETAILS**

<b>Training Qualification</b>	Certificate III in either Carpentry (CPC30202), Joinery (CPC31902), Stonemasonry (CPC32320) or Wall and Floor Tiling (CPC31320).
<b>Your work and study commitment</b>	Full-time = 38 hours per week. Part-time = refer to your Training Contract.
<b>Max. duration of your training</b>	4 Years (or up to 6 years if you are part-time)
<b>Your probationary period</b>	90 days from the commencement on your training contract.
<b>Your training contract</b>	Your employer should arrange for your training contract to be signed within two weeks of the commencement of your apprenticeship. Both you and your employer must agree to cancel, suspend or vary your Training Contract. Protections apply to you under the law – seek advice about the implications of agreeing to any change or cancellation from your Apprenticeship Support Officer or your union.
<b>Where to find more information about your training arrangement</b>	The Victorian Registration and Qualifications Authority (VRQA) is an independent agency that works to assure the quality of education and training in Victoria. The Authority regulates apprenticeships and traineeships in Victoria and makes routine visits to workplaces to ensure both parties are meeting their obligations. The VRQA can also provide advice and help to resolve disputes, as well as investigate when required. Contact <a href="http://www.vrqa.vic.gov.au">www.vrqa.vic.gov.au</a> or T: 1300 722 603
<b>Important actions for you – check that these are now all complete.</b>	<ul style="list-style-type: none"> <li>You have been enrolled with a registered training organization within 3 months of commencing the Training Contract.</li> <li>You have signed an agreed Training Plan with your employer and RTO.</li> <li>You have your own copy of the Training Plan which should clearly state what training you will receive and when (both on and off-the-job).</li> <li>You know that you can progress through your apprenticeship at a rate that reflects your skills development rather than to a specific timeframe.</li> </ul>
<b>Pay Tool</b>	Use the interactive <b>Pay and Conditions Tool</b> available at <a href="http://www.calculate.fairwork.gov.au">www.calculate.fairwork.gov.au</a> if your circumstances are different to those covered here (such as other trades or non-residential construction). The <b>Pay and Conditions Tool</b> helps employers to calculate the correct pay, shift, leave entitlements and enables workers to check their pay is correct. To find out more call the <b>Fair Work Ombudsman</b> on 13 13 94.

**ESSENTIAL INFORMATION ABOUT YOUR  
APPRENTICESHIP  
OR TRAINEESHIP**

Department of  
Education, Skills and  
Employment

This sheet contains general information for Victorian apprentices and trainees which is designed to supplement your Training Contract – not replace it. Here you will find essential information about your training arrangements, workplace safety, wages and conditions and will help you understand your rights and responsibilities.

You will find contacts below to get the right help early if any issues or concerns arise.

**YOUR TRAINING DETAILS**

<b>Max hours of work</b>	Full-time = 38 hours per week. Part-time = refer to your training contract
<b>Your probationary period</b>	Usually 90 days from the commencement date on your training contract – check your training contract to confirm.
<b>Your training contract</b>	<b>If you are an apprentice</b> – both you and your employer must agree to cancel, suspend or vary your Training Contract. Protections apply to you under the law – seek advice about the implications of agreeing to any change or cancellation by contacting your Apprenticeship Support Officer. <b>If you are a trainee</b> – both you or your employer can cancel your Training Contract at any time without the need for consent (unless you are under 18 years when parent agreement is required).
<b>Competency based progression and completion</b>	Apprenticeships and traineeships can be completed before the end date on your Training Contract. This date is only an indication of the time you may need to complete your training arrangement. This is finished when you have completed all the required competencies of your qualification through your registered training organisation (RTO) and your employer has confirmed that you can put the skills and knowledge learnt into practice in the workplace. Your Training Plan sets out this information – it is a living document so keep it up to date together with your RTO and remind your employer to sign off on the skills you steadily acquire as you apply them competently on-the-job.
<b>Where to find more information about your training arrangement</b>	The Victorian Registration and Qualifications Authority (VRQA) is an independent agency that works to assure the quality of education and training in Victoria. The Authority regulates apprenticeships and traineeships in Victoria and makes routine visits to workplaces to ensure both parties are meeting their obligations. The VRQA can also provide advice and help to resolve disputes about the training arrangement, as well as investigate when required. Contact <a href="http://www.vrqa.vic.gov.au">www.vrqa.vic.gov.au</a> or T: 1300 722 603
<b>Important actions for you – check that these are now all complete.</b>	<ul style="list-style-type: none"> <li>You have been enrolled with an RTO within 3 months of commencing the Training Contract.</li> <li>You have signed an agreed Training Plan with your employer and RTO.</li> <li>You have your own copy of the Training Plan which should clearly state what training you will receive and when (both on and off-the-job).</li> <li>You know that you can progress through your apprenticeship or traineeship at a rate that reflects your skills development rather than to a specific timeframe.</li> </ul>
<b>Pay Tool</b>	Use the interactive <b>Pay and Conditions Tool</b> available at <a href="http://www.calculate.fairwork.gov.au">www.calculate.fairwork.gov.au</a> to check that you are being paid correctly. The <b>Pay and Conditions Tool</b> helps employers to calculate the correct pay, shift, leave entitlements and enables workers to check their pay is correct. To find out more call the <b>Fair Work Ombudsman</b> on 13 13 94.

**ESSENTIAL INFORMATION ABOUT YOUR  
HAIRDRESSING  
AND BARBERING  
APPRENTICESHIP**

Department of  
Education, Skills and  
Employment

This sheet contains general information for an apprentice hairdresser or barber. The information here is designed to supplement your Training Contract – not replace it.

It contains essential information about your training arrangements, safety, wages and conditions and will help you understand your rights and responsibilities as an apprentice. You will find contacts here to get the right help early if any issues or concerns arise.

**YOUR TRAINING DETAILS**

<b>Training Qualification</b>	Certificate III level including Hairdressing (SHB30416) and Barbering (SHB30516)
<b>Your work and study commitment</b>	Full-time = 38 hours per week.
<b>Max. duration of your training</b>	36 months
<b>Your probationary period</b>	90 days from the commencement date on your training contract
<b>Workplace based training hours</b>	You must be withdrawn from routine work duties for a minimum of 3 hours per week for planned training, averaged over a 4-week cycle.
<b>Your training contract</b>	Your employer should arrange for your training contract to be signed within two weeks of the commencement of your apprenticeship. Both you and your employer must agree to cancel, suspend or vary your Training Contract. Protections apply to you under the law – seek advice about the implications of agreeing to any change or cancellation from your Apprenticeship Support Officer or your union.
<b>Where to find more information</b>	The Victorian Registration and Qualifications Authority (VRQA) is an independent agency that works to assure the quality of education and training in Victoria. The Authority regulates apprenticeships and traineeships in Victoria and makes routine visits to workplaces to ensure both parties are meeting their obligations. The VRQA can also provide advice and help to resolve disputes, as well as investigate when required. Contact <a href="http://www.vrqa.vic.gov.au">www.vrqa.vic.gov.au</a> or T: 1300 722 603
<b>Important actions for you – check that these are now all complete.</b>	<ul style="list-style-type: none"> <li>You have been enrolled with a registered training organization within 3 months of commencing the Training Contract.</li> <li>You have signed an agreed Training Plan with your employer and RTO.</li> <li>You have your own copy of the Training Plan which should clearly state what training you will receive and when (both on and off-the-job).</li> <li>You know that you can progress through your apprenticeship at a rate that reflects your skills development rather than to a specific timeframe.</li> </ul>
<b>Pay Tool</b>	Use the interactive <b>Pay and Conditions Tool</b> available at <a href="http://www.calculate.fairwork.gov.au">www.calculate.fairwork.gov.au</a> if your circumstances are different to those covered here (such as other trades or non-residential construction). To find out more call the <b>Fair Work Ombudsman</b> on 13 13 94.

# 4. Regulatory framework

This section begins by describing the current state – focussing primarily on ETRA and the key safeguards and instruments within it – before setting out the key issues identified by the Taskforce with the regulatory framework. It then sets out 3 recommendations to improve the regulatory framework.

## 4.1 Current state

Victoria's regulatory framework for apprenticeships and traineeships comprises different legislation and regulatory controls and safeguards. This section provides a brief overview of how the regulatory framework currently operates. This chapter describes:

- The legislation that regulates the apprenticeship system (including but not limited to ETRA).
- The key regulatory instruments and safeguards within ETRA, namely employer approvals, training approvals, training contracts and training plans.
- The role of each safeguard in ensuring safety and promoting quality.

Each is described in turn.

### 4.1.1 Victoria's apprenticeship system is primarily regulated by the *Education and Training Reform Act 2006*

The regulatory framework for apprenticeships and traineeships in Victoria is largely set out in ETRA and its subordinate documents. The sections of the Act that are relevant to apprentices and trainees are:

- **Part 4.2** which establishes the VRQA and its powers to regulate apprenticeships.
- **Part 5.5** which sets out the instruments that regulate Victoria's apprenticeship model, namely training schemes (Division 2) and employer approvals, training contracts and training plans (Division 4). This part also outlines the obligations of employers and apprentices under apprenticeship and traineeship agreements and the VRQA's powers to determine grievances.

In addition, because apprentices and trainees have the legal status of employees, other Acts that apply to workplaces also play an important role in regulating the apprenticeship system. This includes:

- The *Occupational Health and Safety Act 2004* (Victoria) (OHS Act) regulates the health and safety requirements of all workplaces in Victoria. It requires all employers to maintain a safe working environment, without risks, so far as is reasonably practicable. All employers of apprentices are required to provide a safe and risk-free working environment for apprentices and may be subject to fines and/or criminal action where they are found to not meet their obligations.
- The *Fair Work Act 2009* (Commonwealth) (the Fair Work Act) regulates minimum employee entitlements and pay, as set out in the National Employment Standards, awards and enterprise agreements. Under the Fair Work Act, employers are obliged to fairly pay apprentices and trainees.
- The *Labour Hire Licensing Act 2018* (Victoria) safeguards the rights and interests of workers engaged in labour hire arrangements. It requires labour hire providers to obtain a license to operate, ensuring they meet specific requirements related to fair work practices, safety standards, and compliance with relevant law.
- The *Energy Safe Victoria Act 2005* (Victoria) established the Energy Safe Victoria regulatory authority and plays a crucial role in promoting safety and protecting consumers in the energy sector by setting clear regulations, promoting best practices, and ensuring accountability within the industry. This includes licensing of electrical trades.
- The *Building Act 1993* (Victoria) governs building and construction activities in Victoria and sets out the framework for the regulation of building permits, inspections, and certifications. It outlines the roles and responsibilities of different stakeholders, including building practitioners, designers, and regulators. This includes registration and licensing of plumbing trades.

### 4.1.2 Three key instruments regulate the apprenticeship system in Victoria

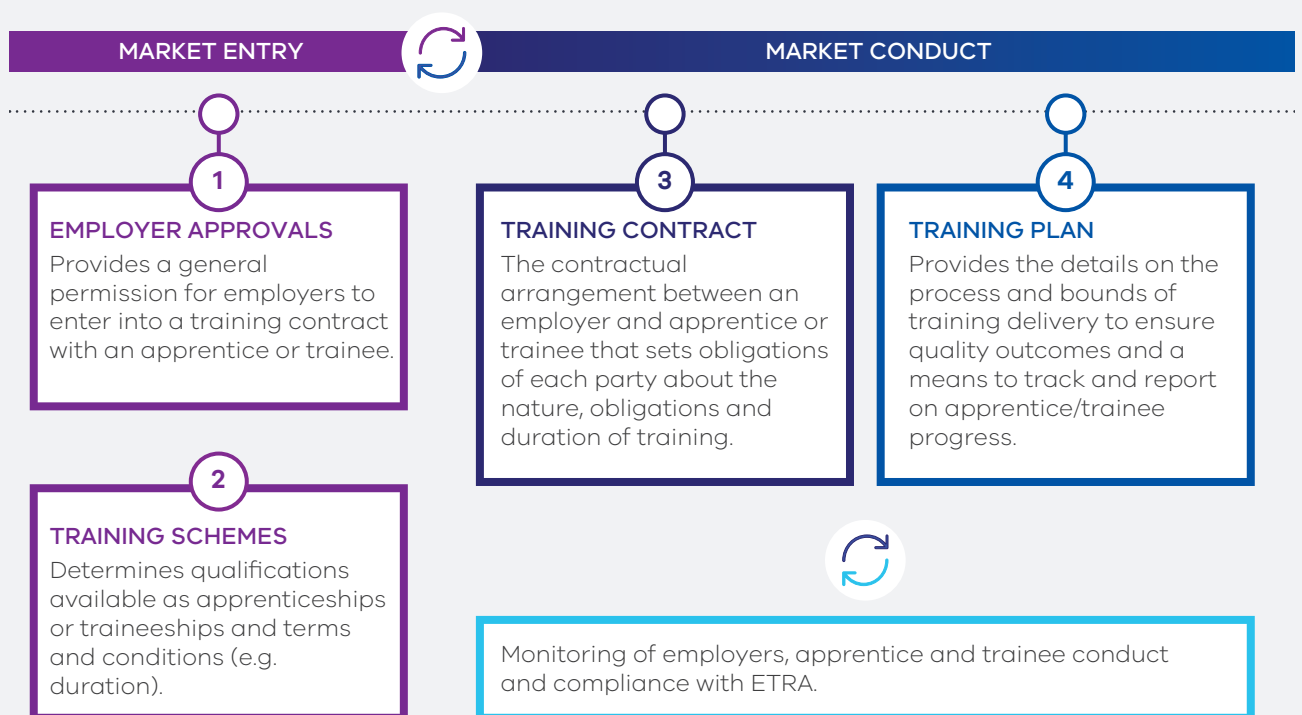
ETRA sets out 4 main instruments that are used to regulate and oversee the apprenticeship and trainee system. These are:

- **Employer approvals process under Division 4 of Part 5.5.** This sets out the requirements and process for determining the suitability of employers to employ apprentices under training contracts (sections 5.5.6 – 5.5.7).

- **Training schemes under Division 2 of Part 5.5.** Training schemes are also a key component of the apprenticeship system and include the terms and conditions of an apprenticeship or traineeship, including the qualification details, nominal duration period, probationary period, suitability for school-based delivery, and the minimum hours per week required of the apprentice or trainee.
- **The training contract under Division 4 of Part 5.5** is the contractual agreement between the employer and apprentice that defines the requirements, parameters and roles and responsibilities to deliver training under the training scheme.
- **The training plan under section 5.5.12** is the plan between the employer, apprentice or trainee, and Registered Training Organisation (RTO) for how learning and skills will be developed and assessed across the duration of an apprenticeship or traineeship. The training plan underpins the learning process and is an essential tool in monitoring progression and confirming competencies.

The VRQA exercises powers to oversee compliance of these regulatory instruments. The interaction between employer approvals, the training contract and plan, and compliance and enforcement is depicted in Figure 8 and described in more detail overleaf.

Figure 8 | Overview of the key regulatory controls



### 4.1.3 Employers must be approved by the VRQA to employ an apprentice or trainee

Employers must be approved by the VRQA before they can enter into a training contract with an apprentice or trainee. The Act sets out criteria the VRQA must consider before approving an employer. This includes the qualifications and experience of the employer and the suitability of the worksite and any equipment. Section 5.5.7 also stipulates the employer and any supervisor who engages in training must be a 'fit and proper person.'<sup>53</sup> The process for assessing and approving employers is a matter of regulatory practice, determined by the VRQA Board.

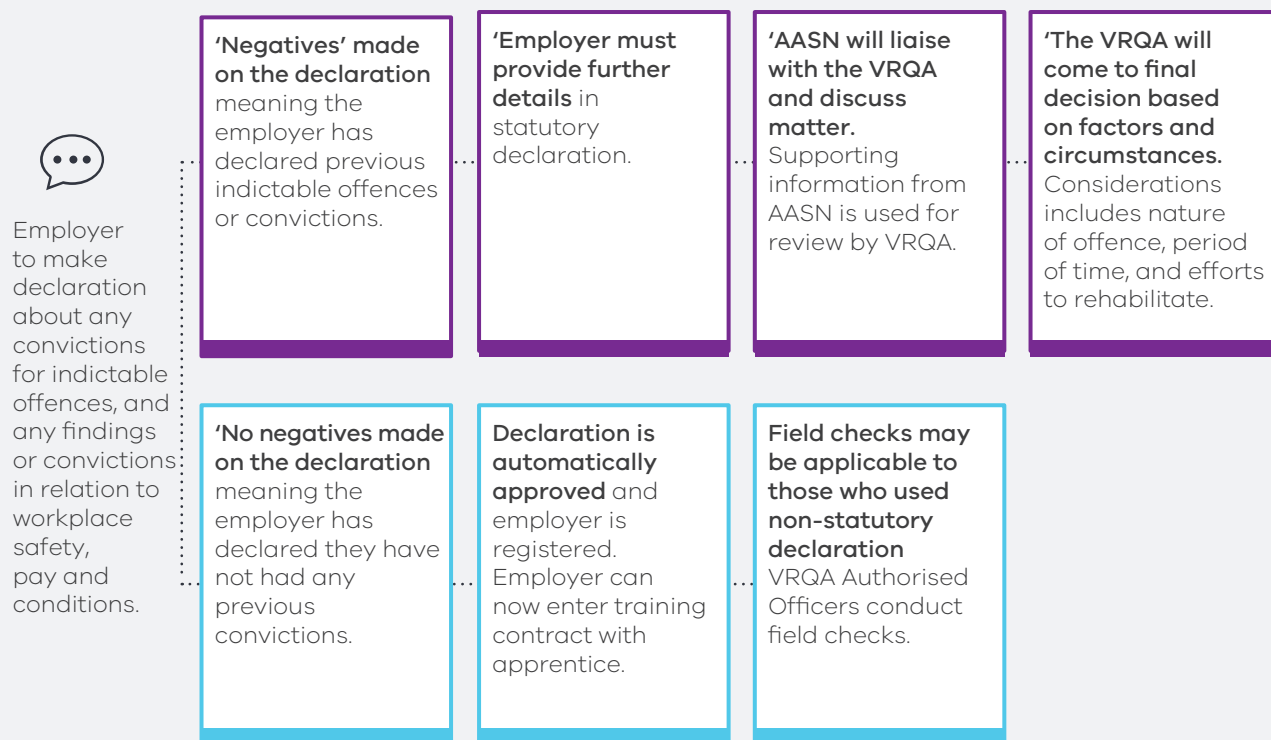
The current process is illustrated in Figure 9 overleaf. Its key features are:

- All employers are required to submit a declaration – either a statutory or non-statutory declaration – that they have not been convicted of any indictable offences (including convictions relating to the OHS Act or Fair Work Act).
- Once the self-declaration is signed, the employer is approved and can enter into training contracts with an apprentice or trainee.

As a matter of practice, the VRQA outsources the approval process to the Apprenticeship Network Provider (ANP). The role of the ANP is also illustrated in Figure 9 overleaf.

<sup>53</sup> VRQA, 'Employing an apprentice or trainee'

Figure 9 | Employer Approval Process



GTOs and other Labour Hire providers are employers under Part 5.5 of ETRA and must follow the same approvals process. To be recognised as a GTO, a Labour Hire provider must meet the National Standards for Group Training Organisations, which are subject to independent audits.<sup>54</sup> Whilst this process is administered by the VRQA it is not required under ETRA.

**The training contract and training plan set the rights and responsibilities under a training agreement**

The training contract and training plan collectively set out the rights and responsibilities of the main stakeholders in the apprenticeship system. Each instrument is described below.

- **The training contract forms a legally binding agreement between the employer and employee (an apprentice or trainee) on the duration and nature of training to achieve a nationally recognised qualification.** The training contract sets out several obligations on the employer to deliver training towards a training plan and the recognised qualification, meet all legal requirements (including occupational health and safety requirements and payment of wages). The AASN administers the signing of all training contracts which are then lodged with the VRQA<sup>55,56</sup> The Act requires employers to deliver training (under the training contract) that enables the apprentice or trainee to obtain the skills and knowledge required under the approved training scheme the person is completing.<sup>57</sup> There are penalty provisions for failing to train an apprentice in accordance with the training scheme.

54 Australian Apprenticeships, 2017, 'Revised National Standards for Group Training Organisations'

55 The Act enables training contracts to be lodged with an approved training agent, but this does not occur in practice

56 Department of Employment and Workplace Relations, 2022, 'Australian Apprenticeship Services and Supports Discussion Paper', Australian Government

57 Education and Training Reform Act 2006 (Vic), section 5.5.8

- **The VRQA is responsible for approving training contracts under which apprentices and trainees are employed by an employer.**<sup>58</sup> The terms and conditions of a training contract are aligned to the National Training Contract and are broadly consistent across all states and territories. Each new training contract is not approved by the regulator; it is required under ETRA to be lodged with the VRQA within 14 days of the commencement of an apprenticeship or traineeship.<sup>59</sup> Cancellation, suspension, and variation of the contract requires mutual consent between the apprentice and the employer after a probation period.<sup>60</sup>
- **The training plan is the primary means by which an apprentice or trainee, the employer and the RTO negotiate and determine the appropriate training necessary to meet the qualifications.** The training plan is a live document throughout the apprenticeship or traineeship that demonstrates how the qualification in the training contract will be achieved.<sup>61</sup> The plan is used to track an apprentice or trainee's progress against the intended training outcomes. It is therefore the key instrument used to deliver competency-based completion as it enables the RTO and employer to cluster, monitor and assess competencies at a rate relevant to the apprentice or trainee's experience and qualifications. This includes employer confirmation that the apprentice or trainee can put the skills they have learnt in formal training into practice in the workplace.
- **A training plan must be developed and signed by the employer, apprentice, and the RTO within the first 3 months of beginning the apprenticeship.** A copy of the training plan must then be lodged with the VRQA, a person nominated by the Authority, or an approved training agent.<sup>62</sup> In practice, training plans are not currently provided to the VRQA but are sometimes provided to the ANP as a prerequisite for incentives or wage subsidy.

## 4.2 Key issues

Apprentices and trainees are not being adequately protected by the regulatory framework. Further, the framework does not effectively support, train or screen their potential employers. As such, the regulatory framework overseeing Victoria's apprenticeships system is no longer fit-for-purpose. The Act was developed over 15 years ago and has not been comprehensively reformed since then. Moreover, much of the content from the previous legislation (the *Vocational Education and Training Act 1997*) was carried over into ETRA. Apprenticeship legislation in Victoria has not been substantially revised for 25 years. In the meantime, however, there has been substantial changes in how apprenticeships and traineeships are delivered. This includes changes in the skills that are needed by industry, methods of delivering apprenticeships and traineeships (including the introduction of competency-based completion), pathways into these forms of training, structural changes in employment, and greater demographic diversity in the people that undertake apprenticeships and traineeships. These trends have taken place alongside considerable changes in the labour market, the nature of employment and the skills required.

The Taskforce has identified 4 key issues in relation to the regulatory framework which the recommendations aim to address:

1. Apprentice and trainee safety and high-quality training is not prioritised or supported by existing instruments and institutional arrangements.
2. The Regulator has limited tools and powers to monitor and enforce compliance.
3. The objectives and scope of the legislative framework should be clarified.
4. There are insufficient supports available to help employers understand and comply with the regulatory framework.

Each issue is discussed overleaf.

<sup>58</sup> *Education and Training Reform Act 2006 (Vic)*, section 5.5.10

<sup>59</sup> It is not clear that this happens in practice

<sup>60</sup> As noted in section 4, for traineeships, mutual consent is not required to cancel, suspend or vary the training contract.

<sup>61</sup> Clayton, B, Guthrie, H, Every, P, Harding, R, 2015, 'Competency progression and completion: how is the policy being enacted in three trades?', NCVET, page 11

<sup>62</sup> *Education and Training Reform Act 2006 (Vic)*, section 5.5.13

#### 4.2.1 Apprentice and trainee safety is not prioritised or supported by existing instruments and institutional arrangements

The existing regulatory safeguards and institutional arrangements set out in the Act do not adequately manage risks relating to safety and poor-quality experiences for apprentices and trainees. The Taskforce has found that:

- The employer approval process does not provide an adequate safeguard
- The Act has limited provisions to support and ensure quality supervision
- There is insufficient oversight of training plans
- Safety and quality are not emphasised enough through current institutional arrangements, which divide accountability and responsibility.

Each point is discussed below.

##### **The employer approval process does not provide an adequate safeguard to achieve its intended outcomes**

Employers are critical in providing a positive experience for apprentices and trainees and ensuring that their rights are safeguarded. Employer-related issues (especially those relating to quality of training and employment) are the most cited reason for non-completion of apprenticeships and traineeships.<sup>63</sup> A small minority of employers intentionally take advantage of apprentices and trainees, and many others simply do not understand their role and obligations. In either case, the outcome for apprentices and trainees can be terrible. Unpaid wages, bullying, harassment and serious incidents could all be reduced through better screening and oversight of employers. Improving the quality of employers at the outset could also alleviate a sense of unbelonging felt by one in 4 apprentices or trainees.<sup>64</sup>

While most employers enter the market with good intentions, some seek to take advantage of financial incentives to hire an apprentice or trainee – such as low wages and government subsidies – without providing proper training.<sup>65</sup> Other employers who enter in good faith may not have the right qualifications and experience to provide quality on the job training.<sup>66</sup> In other cases, employers simply do not have adequate guidance and supervision, or understand how to manage modern workforce requirements. This can lead to poor quality outcomes for apprentices and trainees and contribute to non-completions.

In this context, the employer approvals process seeks to assess the suitability of employers to employ an apprentice or trainee and comply with the requirements of the training contract.

However, the employer approvals process does not provide an adequate safeguard to achieve its intended outcomes. The employer approval process is intended to ensure that employers are fit and proper persons to employ apprentices and/or trainees and that they have appropriate systems and supervisors in place to ensure that the apprentice or trainee is effectively trained.<sup>67</sup> The Taskforce has heard that the current process is not achieving its intended outcomes for several reasons:

- **The assessment process for employers primarily consists of self-assessment and declaration.** Currently, any employer can self-assess themselves as ‘fit and proper;’ if they do this via a statutory declaration, they are not subject to verification checks by Authorised Officers. Notably, this is in line with most other Australian jurisdictions who use a form of self-declaration as part of the employer approvals process. However, it may not provide a sufficiently robust process to prevent unscrupulous employers entering the market, especially where it is not accompanied by adequate oversight through compliance monitoring and suitable penalties where self-declarations are inaccurate.
- **The standard to be met is a character assessment (‘fit and proper person’) which does not adequately assess suitability to employ apprentices or trainees.** The quality and experience of the employer is a commonly cited reason for non-completions of apprenticeships and traineeships.<sup>68</sup> The fit and proper person test – which is a common test used across many regulatory frameworks – is a character assessment only and does not assess whether an employer has the skills and experience to deliver quality on-the-job training. Stakeholders have observed that suitability of a specific employer changes depending on the apprentice or trainee, and the circumstances in which the employer is operating. This is reflected in ETRA, as the regulator is required to consider the employer’s premises, equipment, and skills for the specific training purpose, before approving them to employ a person under a training contract.<sup>69</sup> However, under the current process, approval of an employer and an assessment of their suitability (skills and qualifications) does not occur before each contract is signed.

63 Bednarz, A, 2014, ‘Understanding the non-completion of apprentices’, National Centre for Vocational Research

64 Research commissioned by Apprenticeships Victoria

65 The Australian Industry Group, ‘An apprenticeship model for the modern economy’

66 Ibid

67 VRQA, ‘Employer Approvals Process’

68 Snell, D, Hart, A, 2008, ‘Reasons For Non-completion And Dissatisfaction Among Apprentices And Trainees: A Regional Case Study’, International Journal of Training Research

69 *Education and Training Reform Act 2006 (Vic)*, section 5.5.7

- **The approval process is a one-off approval with no other checks or balances.** Once an employer is approved, there is no further review of their character or suitability. This increases the risk that employers may continue to be permitted to employ an apprentice or trainee while no longer (or never) meeting the legislated requirements. It further creates a system where a large portion of employers are approved to operate in the market but are not active. Stakeholders indicate that of those registered, approximately only a third are actively operating in the system. This dilutes the focus of the VRQA's regulatory oversight. VRQA has recently been working to reduce the number of inactive employers. South Australia presents an example of a more robust employer approvals process with 5-year limitations and a public register of approved employers.
- **The approval process does not include requirements for employers to report material changes in circumstances.** The Act does not include any requirements for an employer to update the regulator or report any material changes in their circumstances which may affect their ability to employ an apprentice or trainee. Therefore, the VRQA is limited in its ability to proactively remove employers from the market who are no longer suitable. Instead, they rely on monitoring activity or referrals from other agencies to become aware of employer issues. This contrasts to other jurisdictions, including New South Wales and Queensland, which require the employer to notify the regulator of prescribed events, including issues relating to apprentice and trainee completion and safety. The National Training Contract requires employers to let the relevant State government authority and the RTO know within 5 working days if the Training Contract has become jeopardised, but this does not occur in practice.
- **The regulatory framework leads the VRQA to undertake a one-size fits all approvals process.** The current approach to approving employers against criteria in the Act (set out in section 5.5.7) does not consider the unique risks to safety and quality presented by certain sectors and cohorts of apprentices and trainees. As a result, the approvals process does not ensure an appropriate degree of oversight and regulation commensurate with risk.

For example:

- Apprentices 18 years and under are at heightened risk of exploitation as they often lack previous workplace experience. Younger workers have also been found – across different industries – to be more prone to workplace safety incidents.<sup>70</sup>
- Apprentices and trainees in the construction industry face greater health and safety risks given the inherent risk factors associated with working on a building site. In the years 2018-2021, the Victorian construction industry recorded the highest number of work-related fatalities.<sup>71</sup>
- Many apprentices and trainees, regardless of sector, experience wage theft. However, apprentices and trainees in the hospitality industry are more likely at risk. Underpayment of workers in the hospitality industry is a common occurrence, with a recent survey finding that over 80% of workers have reported wage theft in a hospitality job.<sup>72</sup>



*You should need a licence  
to hire apprentices and if you  
mess up you aren't allowed  
to (continue to hire them)*

- Apprentice

#### **The Act has limited provisions to support and ensure quality supervision**

The current regulatory framework does not go far enough to maximise the quality of training and supervision for apprentices and trainees. The quality of on-the-job training depends on the quality of supervisors operating in the workplace that provide training to apprentices and trainees.<sup>73</sup> Supervisors may have the skills and qualifications in the relevant occupation but may not necessarily have the experience or skills to supervise training or teach effectively.<sup>74</sup> As a result, apprentices and trainees may be completing without all the necessary skills for their occupation, or worse, become dissatisfied with their training and exit the system as a result.

70 Lingard, H, Zhang, R, 2019, 'Young and Older Construction Workers' Work Health and Safety

71 Workplace fatalities – 2018-2021, 2022, WorkSafe Victoria

72 United Workers Union, 2020, '#ReBuildHospo: A Post-Covid Roadmap For Secure Jobs In Hospitality', Hospo Voice

73 International Labour Organization, 2012, 'Overview Of Apprenticeship Systems And Issues'

74 Clayton, B, Guthrie, H, Every, P, Harding, R, 2015, 'Competency progression and completion: how is the policy being enacted in three trades?'

Currently, we note that employer approvals must consider whether any person who the employer proposes to use to supervise training under a training contract has the appropriate skills, knowledge and training and is a fit and proper person. However, it is not clear in practice whether the VRQA can regulate supervisors who are employed by the employer (who must be approved by the VRQA) or can impose conditions or penalties on supervisors who do not have the appropriate qualifications, skills and knowledge. Gaps in the current legislation raised by stakeholders include:

- There is no clear authority in the Act which enables the VRQA to require supervisors to undergo training before they can supervise.
- There are no specific obligations on employers under the Act (that can be readily enforced) to ensure apprentices and trainees are supervised by persons with appropriate skills and experience.<sup>75</sup>

Further, there appears to be no process to track and oversee supervisors that are participating in the system to inform an understanding of supervisor misconduct. While Victoria's approach to overseeing supervisors is similar to other Australian jurisdictions, it contrasts significantly to international comparators. For example, in Canada, employers are required to identify a certified journey person to supervise an apprentice during their training.<sup>76</sup> This reflects a lack of commitment to improving the quality of training and supervision, putting apprentice and trainee safety experience and safety at risk.



*(I had issues with)  
the management and  
understanding of my  
role as a trainee*

- Trainee

### **There is insufficient oversight of training plans**

The training plan is the main tool to set a competency-based pathway and assess an apprentice or trainee's progress.<sup>77</sup> It is essential to a positive training experience for apprentices and trainees. Done poorly, it leaves apprentices and trainees at risk of low-quality training and an overall inadequate experience, where the skills they learn in formal training are not embedded through practice in the workplace. The plan should remain flexible to change based on progress and the relevant circumstances of the employer, the RTO, and the apprentice or trainee. It should also clearly identify where there are competencies that are not performed in the workplace, so these are taught solely through the RTO, without a requirement for employer confirmation. The Taskforce has heard that the current framework does not sufficiently oversee the training plan to ensure it is supporting quality competence-based outcomes. Specifically:

- **The training plan is not assessed against the training contract to determine whether it will achieve the relevant qualifications and whether it reflects the competencies of the apprentice or trainee.** Section 5.5.13 of the Act requires a copy of the training plan to be lodged with the VRQA, a person or body nominated by the authority, or an approved training agent. Therefore, VRQA does not necessarily have to be provided a copy of the training plan. In practice, the training plan is lodged with an ANP but typically only when required as evidence for a Commonwealth subsidy or incentive. The VRQA only request the training plan in a limited number of instances where there is a complaint, grievance, or investigation. Further, there is no requirement in the Act for any relevant party to assess the training plan against the obligations in the training contract before it is lodged. The Act does allow the VRQA to set minimum training plan requirements, but they have not exercised this power. Limited oversight of training plans reduces opportunities to identify early issues in arrangements that may lead to noncompletions, including an employer's failure to enrol their apprentice or trainee in training.

<sup>75</sup> Of note, however, the procedure for approval in section 5.5.7(c) includes requirements about the qualifications, knowledge and skills of persons that are engaged by an employer to supervise an apprentice's training.

<sup>76</sup> Richmond, T, Regan, E, 2022, 'No train, no gain – An investigation into the quality of apprenticeships in England', EDSK

<sup>77</sup> Clayton, B, Guthrie, H, Every, P, Harding, R, 2015, 'Competency progression and completion: how is the policy being enacted in three trades?', page 5, NCVET



- **There are no requirements to actively monitor and report on progress against the training plan.** Regular contact between the RTO and employer is necessary to effectively progress the training plan and ensure it continues to work towards competency-based completions. Under the Skills First Funding Agreement, RTOs have certain obligations to visit worksites and oversee an apprentice or trainees training plan. There are, however, no legislative obligation. A recent UK report also notes that regulations and standards for those responsible for training apprentices (on- and off-the-job) can help to prevent exploitation and provide reassurance to apprentices that they are guaranteed an opportunity to develop a wide range of skills.<sup>78</sup>
- **SBATs face additional risks, due to unstandardised processes.** There is currently no consistent process for a school principal to approve the SBAT, leaving students at risk of entering into a training contract before they are ready or without the sufficient school supports, increasing the risk of leaving school early or not completing their training.



*I wasn't sure if I had been enrolled (in the TAFE course) – no one kept me informed*

- Apprentice

**Safety and quality are not emphasised enough through current institutional arrangements, which divide accountability and responsibility**

In recent years, there have been serious and unacceptable safety incidents in Victoria's apprenticeship system resulting in serious injury and death (as noted in section 1.5). These underscore the importance of clear mandate and responsibility for apprenticeship and traineeship safeguarding, to make sure these serious incidents – and other forms of harm – are minimised, if not eliminated. The current system does not ensure this, for 2 main reasons.

Firstly, there is split accountability between multiple regulators. Responsibility for apprenticeship safety is, to some extent, separated between the VRQA (which is responsible for regulating the apprenticeship system) and WorkSafe (which is responsible for workplace health and safety across Victoria). The Fair Work Ombudsman is also often utilised. Some apprentices and trainees feel like they are being "passed around" without a timely resolution. Divided and unclear accountability can also contribute to poor information sharing between entities. Inadequate information sharing means the VRQA is, for example, unable to see where there is a systemic problem with wage underpayment from an employer.

Secondly, the current system fails to deliver an adequate degree of focus and emphasis on apprentices and trainees. The VRQA has a broad remit, as Victoria's education and training regulator. Aside from the apprenticeship system, it also regulates a range of education providers, including school education providers, senior secondary education providers, school boarding premises, homeschooling, and organisations that award senior secondary qualifications. The governance of the VRQA creates the risk that it will prioritise its resources towards education-oriented activity and risk reducing resources and attention given to safety and quality issues specific to the apprenticeship system. Moreover, apprenticeships and traineeships are a different model of education to schools, with a distinct set of risks and more diversity in the industry. A more bespoke regulatory approach is needed.

Case Study 3 describes the experience of an apprentice in multiple workplaces with poor physical and cultural safety practices.

78 Richmond, T, Regan, E, 2022, 'No train, no gain – An investigation into the quality of apprenticeships in England', page 56, EDSK

C, a young First Nations apprentice, spoke about being 2 years into his apprenticeship and already working for his third employer. He said his first employer showed a lack of respect towards him and provided no on-site safety instruction and substandard equipment. Little-to-no supervision meant he was left on-site while other staff took lunch breaks. C said that when he tried to cancel, he found out his employer had never formalised the apprenticeship through a Training Contact. In his first month at his next employer, he injured his hand while cutting sheet metal. Rather than helping him, his employer sent him home on public transport. He had to seek his own medical assistance, needing 8 stitches. C’s employer subsequently fired him. He says that his third, and current, workplace is an improvement but there have been incidences of culturally insensitive and inappropriate conversations, especially leading up to the Voice referendum. He is also facing continuing challenges around safety, such as no Personal Protective Equipment, and whilst he has now obtained his Construction Induction ‘White Card,’ he still feels unsure about who to turn to when issues arise.



*In situations where I’ve felt unsafe, I always... I got in touch with WorkCover people. They told me to just try to work it out with my boss.*

- Apprentice

#### 4.2.2 The Regulator does not have the tools and powers to effectively monitor and enforce compliance

Many stakeholders, including apprentices and trainees, have informed the Taskforce that the VRQA does not do enough to monitor and enforce compliance with existing standards. We note that this may be because the VRQA does not have sufficient tools to monitor and enforce compliance with the Act. Under ETRA, the VRQA’s regulatory response is broadly limited to 3 actions:

- Cancel employer approvals.
- Cancel or suspend training contracts.
- Prosecute employers where they enter a training contract without approval and/or breach obligations under the training contract.

The scope of compliance and enforcement functions in the Act limits the VRQA’s ability to take a risk-based and proportionate approach to monitoring compliance and enforcing. Without these tools, the regulator cannot effectively manage the risks posed by ill-informed or substandard employers, or respond effectively to apprentice and trainee concerns when they are raised.

Gaps include:

- A clear authority in the Act to impose conditions on employer approvals after the approval has been issued.<sup>79</sup>
- Outcome-based standards for employers that clarify their role in providing quality on-the-job training and their responsibility to ensure a safe working environment.
- The ability to develop enforceable guidelines or impose training requirements on relevant parties.
- Early intervention compliance tools (such as formal warnings, improvement notices and infringement notices) which constrains the regulator from taking early proactive interventions.
- Provisions that clearly facilitate information sharing between co-regulators and oversight bodies. This is discussed in more detail at section 3.2.3.

As noted in Section 4.2.2, these issues may be partly driven or exacerbated by resourcing constraints within the VRQA.

<sup>79</sup> While section 5.5.7 of the Act does provide the VRQA power to impose condition on approvals, it is not clear within the legislation whether these conditions can be imposed post the initial approval. The current regulatory approach requires the VRQA to cancel an employer approval and then reissue a new approval with conditions. This can negatively affect apprentices and trainees who operate under training contracts with the original approval.

### 4.2.3 The objectives and scope of the Act should be clarified and expanded

ETRA is a broad legislative framework that regulates school education and the tertiary sector. In the Taskforce's view, the legislation is insufficient in the regulation of apprenticeships and traineeships. The Act does not currently have specific objectives about the apprenticeship system, despite the urgent and clear need to drive constant improvement in quality and safety. In addition, the current definition of training organisations does not capture universities and other institutions outside of VET. More generally, several key entities are not defined in the Act which presents a barrier to effective regulation. These issues are discussed below.

#### The Act does not have a clear objective relating to safety, quality and completions

The Act does not have objectives specific to the apprenticeship system and does not link provision of safe and quality training and experience to broader policy objectives. The main purpose of ETRA is *"to reform the law relating to education and training in Victoria by providing for a high standard of education and training for all Victorians."*<sup>80</sup> The purpose statement in the Act and the purpose of the Regulator (also set out in the Act) does not outline objectives specific to oversight of the apprenticeship system, for example providing high quality training and appropriate workplace supervision and supporting apprentices and trainees to complete their training.

By contrast, the regulatory objectives of some other Australian jurisdictions more explicitly reference the development of high-quality apprenticeships and traineeships, along with the establishment of a simple, streamlined, and flexible apprenticeship and traineeship system. In addition, some jurisdictions have an explicit emphasis on strengthening their economy through ensuring a skilled workforce, as well as working with – and providing support to – industry in pursuit of these goals.



*Three people had to go  
to hospital, and pretty  
much were told to sort it  
out and go by themselves*

- Apprentice

#### The Act does not always allow for proper oversight and regulation of apprenticeships delivered by higher education institutions

In recent years in Victoria and nationally, apprenticeship-type arrangements have been piloted with higher education (such as degree and associate degree) qualifications. In England, Degree Apprenticeships have been introduced as part of the formal apprenticeships system. In South Australia, the relevant Act has already been amended to allow the apprenticeship regulator to declare higher education apprenticeships or traineeships. The Commonwealth has included funding for higher education apprenticeships and traineeships as part of the current national skills agreement being negotiated between the Commonwealth and States and Territories.

Higher education qualifications are not currently captured under the VRQA's legislation and scope of operation for apprenticeships and traineeships. The Taskforce has heard that this creates a barrier to effectively applying the regulatory framework for apprenticeships and traineeships under ETRA to higher education apprenticeships or traineeships. Currently, some higher education programs that include many of the characteristics of apprenticeships and traineeships are being delivered. This could confuse stakeholders as to what is and is not an apprenticeship. To effectively manage risks and ensure quality, the Regulator should have the necessary powers to define and declare all apprenticeships and traineeships, regardless of the sector of delivery (vocational or higher education).

#### Key terms and entities are not defined in the Act

There is a range of different stakeholders with important roles – in overseeing the system or as regulated entities – that are not currently defined in the Act. This includes trainees, ANPs, Labour Hire providers and GTOs. In other jurisdictions some of these terms are defined. For instance, Queensland, South Australia, and New South Wales each have a definition of traineeships (separate to the definition of an apprenticeship). Queensland's legislative framework defines GTOs.

<sup>80</sup> *Education and Training Reform Act 2006 (Vic)*, section 1.1(1).

The absence of definitions is arguably out of step with the requirements of a modern legislative scheme, particularly given the risks associated with different workplace settings. In particular:

- **Labour Hire Organisations and GTOs** – It is more difficult to have regulatory oversight of the working environment and conditions experienced by apprentices and trainees employed by labour hire providers (including GTOs), as they are placed with host employers not directly regulated by the ETRA. This is because, while GTOs are responsible for training the apprentice or trainee as a regulated employer under the ETRA, the host employer under labour hire delivers the supervision and training in the workplace. The legislative framework currently provides no oversight of host employers regarding the quality of training being received by apprentices, with limited information on the relationship between a host employer and an apprentice or trainee. However, host employers are subject to regulatory oversight as part of Victoria’s labour hire licensing scheme and can face significant penalties for engaging unlicensed labour hire providers under that scheme. There are also risks, including that an apprentice or trainee is moved around to multiple host employers for short periods with significant periods of downtime. This limits the ability for the apprentice or employer to engage in meaningful employment and build the skills and experience required to complete the qualification. Further, the regulator has no powers under ETRA to remove host employers or hold them to account for non-compliance or poor-quality training.
- While GTOs must be audited – and are required to meet national standards before engaging apprentices – these standards are not regularly reviewed and the VRQA is not required by legislation to audit against these standards. No further approvals requirements or compliance checks exist for labour hire providers (that are not also GTOs), other than those imposed as part of the labour hire license approval.
- **Traineeships** – There are distinct risks and challenges associated with traineeships which may require specific regulatory controls and safeguards. There is limited scope to do this when they are not defined in the Act.

- **Apprenticeship Network Providers** – ANPs have an important role in facilitating and administering the signing of training contracts and informing the parties of their roles and responsibilities. However, ANPs are not mentioned or defined in the Act. In New South Wales, the *Apprenticeship and Traineeship Act 2001* defines ANPs as ‘agents’ which are required to enter into agreements with the NSW Commission “for the purpose of facilitating support services for employers, apprentices and trainees”<sup>81</sup> This enables the Commission to regulate ANPs who take on a number of functions – as contracted parties – including approval of training contracts.
- **RTOs** – The role of RTOs in the apprenticeship and traineeship system is not defined in the Act, unlike some other jurisdictions.

Given the specific risks associated with different cohorts – and the important co-regulatory functions undertaken by ANPs – clear legislative definitions of these terms may be appropriate to support a future-focused legislative framework that provides clear guidance on important terms in the Act.

#### **4.2.4 There are insufficient supports available to help employers understand and comply with the regulatory framework**

Many employers do not understand their obligations, nor the activities they must undertake to comply. This undermines apprentice and trainee safety and quality in an avoidable way; employers often are not intentionally avoiding their responsibilities and are willing to improve their practice. However, there is no system in place that helps these employers to gain the knowledge and skills necessary to fulfil their obligations. This is particularly a problem for small and medium sized employers who comprise a large majority of the employers of apprentices and trainees. The Taskforce has consistently heard from employers, unions and peak bodies that a support model for employers must be put in place. This can be directed at all employers, with a particular focus on new employers and those struggling to meet their obligations.

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81 *Apprentice and Traineeship Regulations, 2017 (NSW)*, regulation 5(1)(a)

## 4.3 Recommendations to deliver better quality and safety through an updated regulatory framework

The Taskforce proposes 5 recommendations to modernise and improve the regulatory framework overseeing Victoria's apprenticeship system to address the issues identified above. This includes reforms to the Regulator, and to the regulatory framework itself. Wide scale reform is required to modernise the regulatory framework, including by clarifying its purpose and scope, enhancing safeguards (without overly burdening regulated parties), and providing the necessary tools for the Regulator to monitor and enforce compliance.

### RECOMMENDATION

## 07

Establish an independent VET, apprenticeships and traineeships regulator with additional immediate support for VRQA to manage the transition, including a more proactive education and compliance monitoring approach in high-risk sectors (particularly construction and associated supply chains), supported by a permanent consultative industry committee inclusive of business and union representatives

### Description

The Taskforce proposes the creation of an independent VET, apprenticeship and traineeship regulator with an early initiative of a **2-part** recommendation to deliver improved regulatory practice. The first stage is to deliver additional resources to the VRQA as soon as possible, to support improved regulation immediately. Part 1 represents a longer-term legislative reform to establish a new regulator, focused on apprenticeships and traineeships (with a small number of broader VET responsibilities carried over from the VRQA as well). The 2 stages are described below.

**Part 1:** The Taskforce recommends that, over the longer-term, institutional arrangements for the apprenticeship system are reformed legislatively to establish a new regulator with a dedicated focus on apprenticeship, traineeship and VET-related regulation – nominally referred to here as the Apprenticeships and Training Regulator (ATR). This would create a new body with a clear role and mandate to focus on safeguarding apprentices and trainees. It would focus on all VET responsibilities currently undertaken by the VRQA, including accrediting qualifications and registering RTOs where they fall outside ASQA's remit. An independent board would serve as the regulatory decision-maker, and an ATR CEO and staff would administer the body. It should include a Consultative Committee of industry (employers and unions) to provide input to the regulator. It would receive ministerial direction through a statement of expectations from the Minister for Skills and TAFE. It is proposed that the new entity would co-locate with the VRQA and draw on VRQA shared services.

The establishment of a new regulator under legislation will take time. Therefore, the Taskforce recommends this work commence immediately to ensure it is delivered within this term of government.

**Part 2 (priority for implementation):** Noting legislation takes time the Taskforce recommends that the VRQA be provided with additional resources to enhance its proactive compliance monitoring and education activities as part of its transition to the new regulator. Additional resources should introduce new proactive compliance monitoring activities and increase existing activities, including:

- Establishing a consultative committee of employer and employee representatives
- Increased education and guidance to employers on safe and quality workplace training environments that support diversity
- Integrating with the help desk function
- Increasing the number and proportion of training plans that are proactively audited to identify progression against the plan, informed by a training plan monitoring program
- A more dedicated compliance monitoring focus on the high risk construction sector and its associated supply chains

Additional proactive compliance monitoring activities should be underpinned by a risk-based and intelligence-led regulatory approach, including focusing on employers with consistently low completion rates.

These additional resources will transfer to the new regulator when established.

## Rationale

The purpose of a **2-part process** is to ensure that immediate improvements can be made to regulatory practice in response to stakeholder concerns. Part 1 will take time to implement, so Part 2 will provide an important transitional step. The rationale for each stage is outlined below.

**Part 1:** The Taskforce considered other institutional options; however, the Taskforce concluded that the establishment of the ATR would ensure a clear role and mandate for apprenticeship safeguarding and meet stakeholder expectations for a single dedicated VET, apprenticeship and traineeship regulator. This dedicated focus reduces risk of scope creep or unreasonable expectations. Including the VRQA's other current VET regulatory responsibilities – some RTO registration and the accreditation of some new VET qualifications – would help achieve integration and enhance specialised expertise within the new regulator. The ATR would continue to provide for clear separation between policy in the Department and regulation in a statutory authority or other independent arrangement. It also recognises the growth of the VET sector will likely mean apprenticeship regulation will become the majority function of the VRQA in the near future and that there is an inherent difference in regulating the diverse industry sectors that employ apprentices with the relatively homogenous school sector. The Taskforce is not recommending any change to the VRQA's regulation of schools.

**Part 2:** Currently, most of the VRQA's compliance monitoring activities are routine or reactive in nature and there is limited proactive activity. With additional resources, the VRQA could better identify issues before they arise or prevent problems from escalating, thereby reducing the need for resource-intensive reactive activities. The introduction of more proactive compliance monitoring would also deter employer non-compliance and enhance visibility and understanding of the regulator's role. The focus on a stronger education function will support the regulator transitions to its new functions going forward.

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Modernise ETRA to clarify objectives, enhance safeguards and oversight, and improve system outcomes

- A. Amend the regulator’s purpose to include an apprenticeship-specific objective that emphasises a role in promoting safety and quality
- B. Define key terms in the Act to provide clarity about regulated entities and co-regulators
- C. Introduce an employer registration scheme using risk-based registration criteria and allowing for additional obligations on employers
- D. Introduce common outcome-based employer standards that provide for:
  - i. Safety of the workplace (cultural, physical and psychological)
  - ii. Supervision
  - iii. Quality of training
  - iv. Mentoring and support for apprentices
- E. Introduce new powers and tools to monitor and enforce compliance and undertake investigations with associated appeals mechanisms and allowing for joint and several responsibility at shared worksites
- F. Enhance oversight of training contracts
- G. Enhance use of training plans to promote quality
- H. Add provisions to facilitate sharing of information between regulators and oversight entities
- I. Introduce additional reporting requirements on the Regulator

RECOMMENDATION

08

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**Description**

The Taskforce recommends that ETRA should be substantially reformed to clarify the regulatory objectives that the legislation seeks to achieve, future-proof the legislation and enhance the regulator’s ability to effectively oversee the system. Key changes to the legislation include:

- A. Amend the regulator’s purpose to include an apprenticeship-specific objective that emphasises a role in promoting safety and quality.** The Act should include an objective for the regulator to: Ensure safe, suitable and appropriate workplaces and supervision, that provides high-quality training for apprentices and trainees to enable completion of training. The legislation should also clearly state the scope of regulatory functions, including education. Legislation should apply consistently to apprentices and trainees.
- B. Define key terms in the Act to provide clarity about regulated entities and co-regulators.** The Act could be amended to define: Trainee, Group Training Organisation, Labour Hire providers and Apprenticeship Network Providers. It should also recognise other regulators involved in the regulation of apprenticeships and traineeships.
- C. Introduce an employer registration scheme using risk-based registration criteria and allowing for additional obligations on employers.** Legislation should be amended to include an employer registration requirement. Key features include:
  - i. Employers should be required to complete mandatory training prior to registration covering all aspects of their obligations, including supervision and outcome-based employer standards (see below). The Regulator’s functions should be updated to clarify their responsibility to ensure employers understand their obligations. Updated legislation should also require mandatory training for supervisors of apprentices and trainees. This should cover obligations of supervisors and requirements for meeting training plans
  - ii. Employers should be required to provide a range of information to the Regulator to be registered, including:
    - › Employer demographics (such as number of employees, worksites, industry classification, turnover)

- › The number of apprentices and trainees that they seek to employ, and qualification clusters
  - › Details about supervisors and key officers
  - › Evidence of completion of mandatory training
  - › A fit and proper person declaration completion
  - › Any further information required from GTOs to demonstrate compliance with national standards
- iii. Updated legislation should require a yearly renewal of registration including an affirmation to the regulator of no change in circumstances
- iv. The registration scheme should allow the Regulator to impose conditions on employer registration, including:
- › The maximum number of apprentices or trainees they can employ at any one time
  - › Qualifications allowable in particular industries
  - › Limits on the number of apprentices and trainees from vulnerable cohorts. This could also include a requirement that employers with a poor compliance history participate in training on their obligations
- v. The registration scheme should include appropriate penalty provisions, including for providing inaccurate information to the Regulator.

**D. Introduce common outcome-based employer standards.**

The updated Act should include – or enable the establishment of – outcome-based employer standards that apply to all types of employers (including labour hire organisations and GTOs). Legislation should include provisions for the Regulator to monitor and enforce compliance with standards through the tools identified below, and other tools if required. These enforcement provisions should also apply equally to all employer types. Further, updated legislation should emphasise the Regulator’s responsibility to educate employers on their obligations under proposed standards. Outcome-based standards should cover the following areas:

- i. Workplace safety (including cultural, physical and psychological safety). This should consider particular emphasis on ensuring safety for cohorts at higher risk, including female apprentices, mature aged students, people of CALD backgrounds and people with disabilities
- ii. Supervision
- iii. Training quality
- iv. Mentoring and support for apprentices.

**E. Introduce new powers and tools to monitor and enforce compliance and undertake investigations with associated appeals mechanisms and allowing for joint and several responsibility at shared worksites.**

Notably, legislation should apply joint and several liability for workplace safety between the worksite manager and employer. This should also include new penalty provisions across the Act related to newly introduced obligations, and provide internal and external appeal mechanisms for employers. New instruments should include:

- i. Compliance and improvement notices
- ii. Information gathering powers
- iii. Show cause provisions and additional offence provisions
- iv. Enforceable supervision guidelines or standards
- v. Enforceable training requirements
- vi. Prohibition of specific employers
- vii. Sanctions for non-compliance including fines
- viii. Protections for those making complaints
- ix. Requirements to disclose information.

**F. Enhance oversight of training contracts.**

Legislation should include provisions for the Regulator to approve and cancel training contracts. Approval should be automated except under circumstances where there are past or existing compliance issues. The Act should also include a debt reconciliation mechanism to ensure there is clarity of responsibility of fee payment on cancellation of a training contract.

**G. Enhance use of training plans to promote quality.**

Updated legislation should include a requirement to provide training plans to the Regulator and resubmit the plan where there is a material change to a training plan. Material may be defined as a change in the RTO or a change in course requirements. The legislation should include appropriate penalties for failing to meet the requirements of the training plan and providing inaccurate information to the regulator. Consideration should also be given to making RTOs reporters of employers who they become aware are not meeting training plan requirements.



#### H. Add provisions to facilitate sharing of information between regulators and oversight entities.

Legislation should facilitate the sharing of information between the relevant regulators for the purposes of risk assessment, compliance monitoring and investigations. All relevant legislation should be considered for legislative review to facilitate information sharing across all apprentice and trainee regulators, not limited to the primary regulator. This should complement administrative practices recommended in Section 3.3. Provisions should prescribe:

- i. Scope of information
- ii. Privacy
- iii. Timeframes for information provision
- iv. Who information can be shared with.

#### I. Introduce additional reporting requirements on the Regulator.

To facilitate better information sharing between regulators and support the operation of the help desk, legislation should require the regulator to respond and provide necessary information to referrals from these parties. Legislation should require the regulator to publish: registered employers; prohibited employers; any conditions on registered employers as a result of enforcement action; and enforcement actions undertaken.

#### Rationale

The proposed changes to the regulatory framework will create a contemporary regulator that seeks to educate where it can and use regulatory powers to encourage better compliance and take stronger action to those who disregard safety and quality requirements.

Updating ETRA would improve the experience of apprentices and trainees in several ways:

- The proposed changes would ensure that existing regulatory instruments – in particular, employer approvals, training contracts and training plans – are better used to manage risks and promote quality.
- Additional obligations on employers, accompanied with mandatory training as a condition of registration, would promote better employer conduct across the board and reduce the likelihood of poor-quality experiences for apprentices and trainees and prevent safety risks from arising.
- Additional powers and tools (and related penalty provisions) would enable the Regulator to monitor and enforce compliance with existing and new regulatory obligations more effectively.
- Information sharing provisions would help to improve collaboration, coordination and co-regulation.
- An updated legislative objective would clarify the purpose of the regulatory framework.
- Updating the objectives of the Act, defining key terms in the Act, and amending definitions would clarify the Act, support consistent regulation (especially of apprentices and trainees) and help to future-proof the legislative framework. The revised regulatory framework should ensure training providers and employers provide a quality apprenticeship and traineeship experience, and eliminate situations where employers and RTOs work together solely to obtain incentives without offering a quality experience.

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#### RECOMMENDATION

# 09

**Legislatively provide for the VET, apprenticeship and traineeship regulator to define apprenticeships and traineeships for the purpose of new qualifications following consultation with unions and industry**

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#### Description

The Taskforce recommends that ETRA is amended to include a provision for the regulator to define an apprenticeship and traineeship for the purpose of new qualifications. This is particularly to protect apprenticeships from being created under another name, particularly within the higher education framework, without adequate protections. This provision should be subject to consultation with unions and industry. Declarations should be made under the following conditions:

- The regulatory framework protects the integrity of apprenticeships and traineeships.
- Consultation with industry (employers and unions) is a compulsory part of the process to declare a new apprenticeship or traineeship including higher education apprenticeships or traineeships. (This does not include updating an existing apprenticeship or traineeship to the current version of the qualification).
- The rights and welfare of apprentices and trainees remain at the forefront of creating a new apprenticeship or traineeship.

## Rationale

This recommendation is made in the acknowledgement that further policy work is required to better define new apprenticeships and that this work should be done in consultation with unions and industry to ensure traditional apprenticeships are not compromised and that new apprenticeships, no matter what the level, are suitably protected.

One of the functions of the primary VET, apprenticeship and traineeship regulator is to publish training schemes, which set out which qualifications may be undertaken as an apprenticeship or traineeship. This power only extends to Vocational Education and Training VET qualifications (as outlined in the Australian Qualifications Framework). Declaration of the apprenticeships or traineeship through the training scheme allows the other formal elements of the apprenticeship and traineeship system to be implemented, including a training contract and a training wage.

The advantages of formally declaring new apprenticeships and traineeships (such as higher education apprenticeships or traineeships) are 2-fold. Firstly, so that these offerings can be controlled through the formal apprenticeship and traineeship system under regulation. Secondly, it allows for the titles of 'apprenticeship' and 'traineeship' to be protected from misuse.

If this legislative change does not occur as part of the legislative reform proposed by the Taskforce, the window of opportunity for reform may be closed for some time. This would provide other jurisdictions with a competitive advantage for attracting projects and workers in industries such as defence, systems engineering and advanced manufacturing.

Some stakeholders are concerned about the impact this may have on existing awards, enterprise agreements and the integrity of the existing apprenticeships system. Ongoing, targeted engagement to ensure new higher education apprenticeships align with industry needs can alleviate these concerns.

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### RECOMMENDATION

## 10

### Provide support legislatively or administratively for new employers and those who may otherwise not be able to comply with new requirements to meet standards via GTO 'lite' services

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## Description

The Taskforce recommends that the Government develop a GTO-lite support model. This can be implemented through updated legislation or changes to current administrative practice.

This model will allow employers to access varying levels of services under the following categories:

- Employer pre-screening
- Apprentice recruitment
- Employer on-boarding and mentoring
- Apprentice mentoring
- Exit and transition.

This will facilitate education and upskilling of employers, with the intention that they will progressively require lower levels of support. In some instances, for example where there have been adverse findings, the use of these additional services provided by GTOs or other service providers could be a condition for maintaining employer approval. Under Recommendation 11 (below), new employers will be given limited-time access to this support.

GTOs are well placed to provide this additional support to employers on a fee for service basis and should be encouraged to develop and promote new offerings to support employers.

## Rationale

The Taskforce has heard that many employers do not understand their role in the apprenticeship system and could be better supported to meet their legislative obligations and provide quality training. Additional support for employers, including for gaining or maintaining their registration under a revised regulatory framework, could help to lift standards of employer conduct and increase awareness about their roles and responsibilities. Many employers of apprentices and trainees may also require more support to meet their obligations immediately after legislation is revised.

GTOs are an established network that can be leveraged to provide this support for employers. They bring sector-leading expertise in apprenticeship and traineeship delivery, recruitment, safety and completion.

Working with industry, ensure the benefit of education and support for new employers and those transitioning to the new regulatory standards (including access to time limited GTO-lite options) is achieved under the new regulator through the consideration of an appropriate and affordable funding policy

### Description

The updated regulatory framework proposed above will create additional costs to implement and administer which will require additional funding.

The Taskforce recommends that the Victorian Government engage with industry partners to develop an appropriate and affordable funding policy to support a modern approach to regulation that can support education as well as compliance.

Additional work is required to develop a detailed funding model that considers the costs of employer registration and regulatory oversight over the course of an apprentice or trainee's journey through the system. Providing access to GTO, or equivalent support via this funding model will also formalise the role of this new initiative in supporting employers.

Industry partners, in partnership with government, have a responsibility to identify investment needs to improve the apprentice and trainee system. Most notably, a focus on achieving higher completion rates will contribute to resolving serious workforce supply issues currently facing employers.

### Rationale

A funding model should have twin benefits:

1. It should generate revenue required to fund the new regulatory framework in a fair way; and
2. It should be used as a vehicle to improve system outcomes (including safe working environments, quality and completions) and support the employers' understanding of their obligations in contributing to these outcomes. Providing access to GTO-lite support via this funding model will also formalise the role of key educational initiatives in supporting employers.

Effective communication of these benefits to industry will be crucial. Most notably, better experience and higher completion rates will contribute to resolving serious workforce supply issues currently facing employers.

N.B. Victorian Chamber of Commerce and Industry (VCCI) has registered its opposition to this recommendation.

# 5. Apprentice and trainee journey

This section begins by describing the current state – focussing on the key stages of apprenticeships and traineeships – before setting out the key issues identified by the Taskforce across the journey. It then sets out 2 recommendations to Government and 4 further initiatives that could improve the apprentice and trainee journey.

## 5.1 Current state

Apprentices and trainees engage with a range of different parties over the course of their studies and training. As noted in Chapter 1, their journey through the system comprises 5 key stages (refer to Figure 2). This section provides a brief overview of each, focussing on key touchpoints.

### Pre-commencement

There are multiple pathways into the apprenticeship system. Prospective apprentices and trainees access information from many sources and stakeholders to identify and seek an apprenticeship or traineeship. These include personal networks of family and friends, Government promotion and websites, industry (employer) promotions, and school career advisers. Some prospective applicants undertake Pre-apprenticeship qualifications as a pathway into an apprenticeship and others may undertake taster programs to gain insight into which apprenticeship or traineeship they should seek to enter.<sup>82</sup>

### Recruitment

At the recruitment stage, prospective apprentices and trainees apply to job advertisements or may use a job-matching or employment service or relay on personal contacts. In doing so they may gain advice from an ANP, a TAFE Skills and Jobs Centre or a GTO. Likewise, employers advertise for apprentices or trainees or use a job matching service.

The employer will assess the apprentice's suitability and, if satisfied, make a job offer, including relevant terms and conditions. If the apprentice accepts, they enter into an employment contract with the employer (which may be written or verbal).

### Commencement

The apprentice or trainee commences work and the employer, within 2 weeks, should arrange for an ANP to facilitate signing of the training contract, which forms a legally binding agreement between the employer and the apprentice or trainee to work together toward achieving the apprenticeship or traineeship qualification. It is at this point that the TAFE or RTO is chosen and nominated on the training contract. The ANP then lodges the training contract with the VRQA via the Commonwealth's Apprenticeship Data Management System.

If the employer is a new employer, the ANP will also provide the VRQA with the employer's completed VRQA Fit and Proper Employer Declaration form. Employers need to be approved by the VRQA to employ apprentices or trainees (as noted in 4.1.3). Details of the training contract are recorded in Epsilon, the Victorian register of apprenticeships and traineeships, which is regularly checked by RTOs.

The chosen RTO or TAFE will liaise with the employer and apprentice or trainee to support the employer to meet their obligation to enrol the apprentice or trainee into formal training within 3 months. This is formalised in a training plan – signed by the employer, RTO and apprentice or trainee (and school if the arrangement is a School Based Apprenticeship or Traineeship) – which sets out how learning and skills will be developed and assessed across the duration of the apprenticeship or traineeship.

### Progression

After commencement, the apprentice or trainee undertakes a combination of on-the-job and formal training over a period of 3 to 4 years for most apprenticeships and 1 to 2 years for most traineeships. The nature and type of workplace training and formal education will vary significantly by employer and industry. In addition to the apprentice or trainee's RTO, employer and supervisor, ASOs and ANPs are available to provide support and guidance at this stage. The apprentice or trainee may also interact with regulators, including the VRQA, WorkSafe and industry-based regulators, over the course of their employment and training.

<sup>82</sup> How To Get Started – Apprenticeships Victoria

A training contract can be terminated during an apprenticeship or traineeship (leading to non-completion). There has to be mutual consent between an apprentice and their employer to do this; traineeships are not subject to mutual consent arrangements. In practice it is not uncommon for an apprentice or trainee to cancel a training contract with one employer and continue their apprenticeship or traineeship under a new training contact with a new employer.

### Completion

Completion occurs once the apprentice or trainee has completed all the required units of competency for their qualification through their RTO (as specified in their training plan) and the employer has confirmed they are able to put the skills they have learnt into practice in the workplace. The RTO then issues the qualification and triggers completion of the training contract in Epilson. The VRQA issue the completing apprentice or trainee and their employer with a letter of completion. Completing apprentices also receive free trade papers, recognising completion of the apprenticeship, and the occupational outcome aligned to their qualification.

Depending on the trade, the completing apprentice may also have contact with different occupational licensing bodies (such as ESV for electricians or the VBA for plumbers). Completing apprentices in these licenced trades must also meet registration or licencing requirements including examinations set and administered by the respective regulator.

## 5.2 Key issues

For some apprentices and trainees, the journey through the system is difficult, arduous, confusing and unsatisfying. While many have a positive experience in their training and feel that they have gained the requisite skills and knowledge of their trade or occupation, this is not uniformly the case. Some apprentices and trainees do not receive quality training, appropriate supervision or feel safe in the workplace. Reports of workplace bullying, harassment, discrimination and underpayment are not uncommon and were reported widely by apprentices and trainees consulted by the Taskforce.

This is unacceptable and reflects a system that does not support the needs of apprentices and trainees. At its worst, this has led to tragic incidents that have resulted in the severe bullying, injury or death of an apprentice or trainee.

Common concerns raised by apprentices and trainees<sup>83</sup> include a *poor psychosocial environment*<sup>84</sup>, a *lack of attention to safety by the employer*<sup>85</sup> and a *lack of quality on-site training for the apprentice or trainee*.<sup>86</sup> Employment-related factors are the most cited reason for not completing an apprenticeship,<sup>87</sup> likely due to a combination of these challenges.

These poor experiences appear to be common across all groups of apprentices and trainees. While First Nations Victorians, culturally and linguistically diverse (CALD) backgrounds, and women in male dominated occupations encounter specific and additional issues such as racism and harassment.<sup>88</sup>

The Taskforce has identified 4 key issues relating to the apprentice and trainee experience which the recommendations below seek to address:

- Apprenticeships and traineeships are not effectively promoted as attractive career paths.
- There are limited mechanisms to connect apprentices and trainees with suitable employers.
- Apprentice and trainee remuneration has not kept pace with changes in demographics and cost of living pressures.
- Apprentices and trainees could benefit from additional professional development training to support the next steps in their careers.

Each issue is discussed in turn overleaf.

83 Past Apprenticeships Victoria engagement with apprentices and employers

84 This includes psychologically unsafe workplaces where apprentices and trainees are reluctant to report concerns due to a culture that encourages "hardening up."

85 Time, cost and quality pressures often deter employers from adopting appropriate safety measures and ensuring the right tools and equipment are used.

86 Apprentices do not always have the education to recognise and manage risks, as colleagues and supervisors have not invested the time needed to train apprentices and trainees effectively.

87 NCVET, 2014, 'Understanding the non-completion of apprentices'

88 Past AV engagement with apprentices and employers

## 5.2.1 Apprenticeships and traineeships are not effectively promoted as attractive career paths

An adequate supply of apprentices and trainees is important to meet the needs of Victoria's industry, economy and society. However, fewer school leavers are choosing to pursue an apprenticeship or traineeship compared to 10 years ago, and as described in section 1.5, combined apprenticeship and traineeship commencements have declined for the better part of 2 decades. While commencement numbers are primarily driven by employment decisions and, especially with traineeships, funding decisions, it is important to promote apprenticeships and traineeships as an attractive career path to senior secondary students and school leavers at a time when these skills are in high demand, such as through initiatives like the Victorian Government's annual Trades and Tech Fit Expo. The Taskforce has heard that some students have limited awareness of the opportunities that apprenticeships and traineeships provide.<sup>89</sup> Apprentices and trainees consulted said that apprenticeships and traineeships need to be de-mystified, and that the potential positive outcomes of completing an apprenticeship or traineeship should be made more clear.

Case Study 4 demonstrates the complexity of navigating the apprenticeship system.

### Case Study 4 – 'D', Certificate III in Electrotechnology apprentice

'D' was unsure about his future in his early 30s. Having worked in a variety of banking and financial services jobs throughout his 20s, 'D' felt a bit lost. He decided to get his forklift ticket and study a Certificate III in Business Administration. After a few years as a forklift driver, he realised that maybe it wasn't too late to pursue his dream of working with his hands and begin a career as an electrician.

He had never even heard the term 'mature-age apprentice,' but was determined to make it happen. He spent endless hours online, looking at job sites and courses. 'D' was concerned that he couldn't survive on an apprentice's salary, so was relieved to find out that he could receive a higher adult apprentice wage. He also didn't know how to go about finding an employer or if the fact that he was in his 30s would affect his ability to find employment.

After extensive research, talking to an electrician friend and combing through social media, in mid-2022 'D' stumbled across a pre-apprenticeship program at Victoria University. He jumped at the chance to try the 3-month course – which he completed while still working as a forklift driver. He then found a Group Training Organisation who took him on as an apprentice.

'D' believes that there are many people in their 20s and 30s not unlike himself who are looking for a career change, and it would be a lot easier to navigate the system with more targeted information.



*If it wasn't for my brother being a chippy, a trade didn't seem like a viable career as it wasn't shown as an option for me really at school.*

- Apprentice

<sup>89</sup> Engagement outputs with apprentices for the Department of Education and Training

## 5.2.2 There are limited mechanisms to connect apprentices and trainees with suitable employers

On-the-job training in an apprenticeship or traineeship relies heavily on the commitment of the employer and supervisor to dedicate time and effort to developing skills and ensuring a safe and suitable workplace. The employment experience is critical in determining whether an apprentice completes their training.<sup>90</sup> This requires that employers understand their role and responsibilities – and take these seriously – and are suitable for supporting the particular needs of each individual apprentice or trainee.

Many apprentices and trainees encounter a range of issues in the on-the-job component of their training, including:

- Harassment and discrimination
- Underpayment
- Poor working conditions
- Feeling undervalued
- Employers seeking to prematurely cancel training contracts.<sup>91</sup>

Many apprentices and trainees are particularly vulnerable to these, and other forms of workplace exploitation, given their age and lack of previous work experience. These issues are experienced broadly and are particularly acute for traditionally underrepresented cohorts of apprentices, notably women, First Nations Australians, people with disability and people of CALD backgrounds experience harassment and discrimination disproportionately. This was true for both the frequency and nature of incidents.

As described in Section 3.2.2, the Taskforce has heard accounts of gendered violence and harassment from several female apprentices. More broadly, our consultations with ‘non-traditional’ cohorts made it overwhelmingly clear that their treatment can deter them from continuing to pursue an apprenticeship or traineeship, because they are not confident of a safe and inclusive workplace environment. This can also have a flow on effect more broadly, driving down commencements, or resulting in apprentices or trainees signing up with employers who are not suited to their needs.

Case Study 5 demonstrates some of the issues for female apprentice.

## Case Study 5 – ‘E’, a Certificate III in Electrotechnology apprentice

When ‘E’ met with her career counsellor in high school, the idea of working in a trade never came up. She was particularly proficient in Maths and was getting high grades, so she was guided along what was considered the natural trajectory of going to university. ‘E’ hadn’t even considered an alternative path, but it was a severe back injury and a string of part-time jobs in book-keeping and customer service that led her to realise that a desk job was not something she wanted.

With no friends or family working in trades and no prior knowledge of who to speak to, ‘E’ relied on word of mouth to secure her apprenticeship with a small Melbourne-based electrical firm which specialises in mainly commercial and education facilities projects. It was initially a steep learning curve for her and her boss. ‘E’ was the first female apprentice the company had ever taken on and her boss was open about his concerns.

As the only woman in her classes, she experienced a number of challenging situations as part of her formal training, but felt she had to largely ignore inappropriate behaviour. She was acutely aware that any complaints she might raise could not be handled anonymously. She also didn’t feel comfortable going to her teachers for advice, as they had expressed openly that it was still an anomaly for a woman to be in a trade.

‘E’'s boss has been extremely supportive of her progress and provided a culture of inclusiveness where she has learnt skills and developed a high level of confidence in her ability as an apprentice electrician. Despite having an overall positive apprenticeship experience, ‘E’ believes that there is room for improvement. She would like to see more education and promotion – not just in girls’ schools, but throughout the Victorian education system. She also thinks that employers need to be more open to hiring women and should promote that willingness more widely.

<sup>90</sup> NCVER, 2019, *Apprentice and trainee experience and destinations*

<sup>91</sup> Skills for Victoria Independent Review, March 2020, *Skills for Victoria’s Growing Economy: Issues paper*



*I think the vulnerability and manipulation is the biggest issue in apprenticeships!*

- Apprentice

**5.2.3 Apprentice and trainee remuneration has not kept pace with changes in demographics and cost of living pressures**

When the current pay and working conditions for apprentices and trainees were designed, they served the needs of an apprentice and trainee cohort that is entirely different today. Historically, apprenticeships and traineeships were designed for younger people, at many times leaving school after Year 10 to pursue an apprenticeship or traineeship. They often undertook their training and employment while living in their family home. While this was not always the case, it was a very common pathway. Apprentices and trainees are paid a reduced wage, reflective of their in-development skillset and hence reduced productivity. For a 'traditional' apprentice or trainee, a full wage was not always essential due to their reduced cost of living.

However, the age of apprentices and trainees at commencement is increasing, partly because Victoria has prioritised near-universal Year 12 completion to provide stronger career options post Year 12. They are more often living out of home, and therefore have higher living costs. In addition, apprentice and trainee wages have remained relatively stagnant despite recent inflation while non-skilled or low-skilled jobs in some sectors (such as construction) are an attractive alternative to an apprenticeship or traineeship.

This drives down both commencement and completion rates, because:

- Apprenticeships and traineeships may seem less appealing and prestigious due to the low wages
- Many interested young people could be discouraged or completely excluded from doing an apprenticeship because they cannot pay their living costs
- Apprentices and trainees in training may struggle with the ongoing pressures created by consecutive years of low wages, and be encouraged to seek alternative employment in the sector such as labouring

- Undertaking an apprenticeship or traineeship may require the purchase of certain items or equipment (most notably a vehicle), which is not always affordable on an apprentice or trainee's wage.

**5.2.4 Apprentices and trainees could benefit from additional professional development training to support the next steps in their careers**

More could be done to ensure that apprentices and trainees are set up for success in their careers upon the completion of their formal training. At the completion of their apprenticeship, the Taskforce has heard that many apprentices lack additional skills that assist in their career development once qualified. This limits their ability to progress in their chosen trade and can result in them deciding to leave the trade. Many apprentices are also not trained in business management, or how to adequately educate and supervise apprentices of their own. This is a missed opportunity to improve the quality of potential incoming employers for future generations of apprentices.



*Poor correspondence and communication (from the employer) regarding completion*

- Apprentice

**5.3 Recommendations and supporting actions to improve key steps in the apprentice and trainee journey**

The Taskforce has found that many improvements could be made to the apprentice and trainee journey. The Taskforce proposes 3 recommendations to improve the apprentice and trainee experience across the journey through their system. The Taskforce has also identified 3 supporting actions for the Victorian Government's consideration. This includes more effective promotion to school leavers, proactive identification and response to issues, and increased supports for apprentices and employers. This would reduce the likelihood of issues arising over the course of training, and better equip apprentices and trainees to build employability, gain experience and obtain relevant qualifications.



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Establish a 'gender equity employer list' to assist female apprentices to find supportive employers:

RECOMMENDATION

12

- **Stage 1:** Establish an initial employer voluntary pledge for those that commit to employing women, providing appropriate hygiene facilities, providing uniforms appropriate for women and ensuring support on-site or offsite.
- **Stage 2:** Implement a recognition program that includes assessment of applications and audit of employer workplaces.

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### Description

The Taskforce recommends that a list of employers who will support women apprentices and trainees is established to provide a resource that connects female apprentices and trainees with suitable employers. This should comprise 2 elements:

- **Stage 1:** Establish an initial employer voluntary pledge for those that commit to employing women, providing appropriate hygiene facilities, providing uniforms appropriate for women and ensuring support on-site or offsite.
- **Stage 2:** Implement a recognition program that includes assessment of applications and audit of employer workplaces.

Over time, the Government should consider expanding this initiative to provide guidance for other groups, including First Nations, people from CALD backgrounds, and people with disability.

### Rationale

A list of employers that are committed to gender equality and providing a safe and supportive workplace environment for women will help prospective female apprentices and trainees to identify suitable employers with which to undertake their training. Women are particularly vulnerable to bullying and harassment in traditionally male dominated trades.<sup>92</sup> These experiences can deter women from commencing an apprenticeship or traineeship and can reduce the likelihood of completion, reinforcing gender imbalances in certain occupations. Connecting women to gender inclusive employers from the outset of their apprenticeship journey is critical in setting them up for success in their chosen industry.

Increasing the means to find suitable employers will also assist in growing apprenticeship and traineeship numbers in Victoria and create a more diverse environment for trades in Victoria. When consulted, Apprentices and Trainees were overwhelmingly supportive of this initiative.<sup>93</sup>

It is important to note that this will likely not be a managed list. Therefore, its contents will only represent those employers who have declared or pledged voluntarily and will not reflect Government or the Regulator's endorsement of that employer's suitability.

### Case Study 6 – Multiple female apprentices

Consultation with female apprentices by the Taskforce identified regular instances of discrimination, from recruitment bias to workplace allocation of tasks. Further incidents of sexual harassment and gender-based violence force many women to change employers or give up their training altogether. One female apprentice told the Taskforce she called more than 50 employers before she could even secure an interview. Many apprentices interviewed talked of being allocated basic tasks ahead of male apprentices such as traffic duty or cleaning. One female apprentice was dismissed by the site safety officer for calling out safety breaches with the explanation they 'needed a more experienced man' to look at the issue.

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92 E Smith, 2021, 'The expansion and contraction of the apprenticeship system in Australia, 1985-2020', Journal of Vocational and Education & Training

93 Research commissioned by Apprenticeships Victoria

## Develop a financial package of support for Apprentices and Trainees including options to address the initial burden of fees on apprentices and trainees, support for debt recovery measures for TAFEs and free public transport

### Description

The Taskforce recommends that the Victorian Government, in consultation with portfolio partners, unions and industry, develop a financial package of support for apprentices and trainees (including SBATs) to ensure training costs are not a barrier to completing an apprenticeship.

Collectively, these measures should ensure training fees are no longer a barrier for apprentice and trainee progression and completion.

### Rationale

Tuition fees charged by TAFE, industry RTOs and private RTOs are mainly a co-contribution to the cost of subsidised training. Under most awards, employers are supposed to pay the costs of training incurred by their apprentice. However, fees for training can sometimes be a barrier to completion. Award arrangements allow for apprentices to pay upfront from their own funds, followed by employer reimbursement the apprentice after a sufficient period of training. Due to their low wages, many apprentices and trainees (or parents) may not have sufficient funds to pay out of pocket, whether or not they will be reimbursed. Additionally, sometimes an employer behaves illegally and does not reimburse their apprentice or trainee at all. Other costs of accessing training (like public transport) can also be alleviated via direct support.

Alternative approaches to fee paying are utilised, particularly direct invoicing of employers by a TAFE or RTO. Sometimes, employers do not pay these invoices on time or at all. This presents a major issue for TAFEs and RTOs and could result in suspension of formal training for the apprentice or trainee.

This recommendation complements the changes to the regulatory framework to require a debt reconciliation statement at the cancellation of a training contract to provide transparency of employer fee liability.

The Taskforce is recommending a system wide policy to ensure fees are not a barrier to commencing, progressing and completing an apprenticeship. Apprentices and Trainees were very supportive of this initiative, indicating that it could make apprenticeship opportunities significantly more attractive to individuals experiencing financial hardship at the commencement of their career.<sup>94</sup>

<sup>94</sup> Research commissioned by Apprenticeships Victoria

Advocate to the Commonwealth to lift wages to minimum rates of pay along with consideration of appropriate support for employers, improve standardisation across awards, provide a Commonwealth Health Card and consider improvements to rental support

### Description

The Taskforce recommends that Victoria should work with the Commonwealth more closely to advocate for improvements to apprentice and trainee pay and conditions, including through the Fair Work Commission processes and other reviews or inquiries. Advocacy should be targeted towards wage increases for critical apprenticeships and traineeships. This can be supported by initiatives to provide cost of living relief, such as via a Health Care Card and rental supports. In parallel, consideration should be given to standardising awards where relevant, to ensure fee policies and other protections for apprentices and trainees are clear and consistent. Advocacy should also include engagement on the Strategic Review of the Australian Apprenticeship Incentive System on measures that assist in offsetting this additional cost to business. This may include measures such as taxation credits at the Commonwealth level.

### Rationale

The Commonwealth has an important role in the apprenticeship and traineeship system (as noted in section 3.1.2 above), especially in industrial relations and wage policy. A primary factor some apprentices and trainees do not complete their training is low wages. Many who do persist may experience adverse life impacts because their low wages can inhibit their ability to pay for basic necessities. Further, apprentices and trainees are older at commencement now than in the past, and have usually completed Year 12. Their productivity on the worksite and readiness to learn are greater than for a historically "traditional" 15-year-old apprentice. Increased wages should be provided to reflect their heightened productivity.

As such, initiatives to raise wages and/or reduce costs for apprentices and trainees are vital, especially to incentivise growth in critical apprenticeships and traineeships. This is particularly important considering recent inflationary pressures on low wage-earners. Consequently, to improve outcomes for apprentices and trainees – and to promote a more seamless and unified regulatory ecosystem – direct advocacy to the Commonwealth on this issue is required.

Promote a pipeline of quality TAFE trade teachers with early provision of Training and Education (TAE) Certification (ensuring work experience requirements are met) throughout industry career lifecycles, seeking short secondments or sessional arrangement from employers for onsite and offsite specialist training, and developing a dedicated 'bridge to retirement' for workers seeking a change of roles

### Description

The Taskforce recommends that Government urgently drive further collaboration with industry, unions and RTOs to develop strategies to increase the supply of trade teachers. This may include:

- Encouraging apprentices and trainees to consider trade teaching as a future career option
- Encouraging qualified trades people to commence a Certificate IV in Training and Assessment and provide them with part time teaching options

- Encouraging employers to support development of qualified trainers by allowing tradespeople to gain teaching experience through short secondments or sessional arrangement for onsite and offsite specialist training
- Developing a dedicated 'bridge to retirement' for workers seeking a change of roles, ideally 5-10 years before retirement.

Simultaneously, industry and unions should work with training providers to support the training of qualified tradespeople to become quality trade teachers, and to support training providers in delivering high quality and robust assessment of apprentices and trainees.

## Rationale

Trade teachers must hold the skills of the trade they are teaching and be qualified as VET trainers by holding the Certificate IV in Training and Assessment. Promoting a pipeline of quality teachers is necessary to meet growing demand in the apprenticeship system and to lift standard of training provided to apprentices and trainees. Several cohorts should be encouraged, including older workers who may not be aware of the value they can deliver and the opportunities provided by teaching. Further, encouraging those earlier in their careers to pursue teaching is a vital means to growing the number of teachers with recent work experience.

Apprentices and trainees consulted by the Taskforce felt that this initiative would improve the standard of courses, making the TAFE experience more positive for young people entering a trade.<sup>95</sup>

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### RECOMMENDATION

## 16

**Support apprentices and trainees to access small business skills and support pathways to licensing where required in their final year to better prepare apprentices for their future**

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### Description

The Victorian Government should develop strategies to support apprentices and trainees transitioning into the next stage of their career. This could be considered as additional training or professional development. Areas of potential focus include:

- Small business skills
- Being a safe and responsible employer
- Requirements and obligations of employing an apprentice
- Information to support apprentices in licensed trades undergoing the licensing process.

### Rationale

The Taskforce has heard that many apprentices and trainees would benefit from additional skills that would assist them to further progress their careers once they are qualified. Providing completing apprentices with information and training on how to transition into future roles will ensure that they are set up for success as they continue their career in the occupation of their choice. Successful transitions ensures that investment in apprentice and trainee training is maximised. Implementing this training links to the work-related skills and professional development skills subjects offered from 2025 as part of the new VCE Vocational Major.

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<sup>95</sup> Research commissioned by Apprenticeships Victoria

**Description**

The Taskforce has identified several initiatives for the Victorian Government's consideration that could help to promote apprenticeships and traineeships as attractive career paths. Action on these items is of pressing need to address Victoria's skill needs, in collaboration with other relevant Government and industry stakeholders. Specifically, the Government should focus on:

**A. Promoting apprenticeships in schools –**

The Government should continue to highlight pathways into apprenticeships and traineeships by building awareness among school students through existing channels and supports, focussed on the opportunities and career pathways facilitated by apprenticeships and traineeships. This may be facilitated through awareness building and training for careers staff within schools. Employers also have a critical role to play in providing school students with opportunities for early engagement through work experience, VET tasters or career nights.

**B. Promoting pre-apprenticeships –**

The Government, unions and industry can improve pathways into apprenticeships and traineeships by building awareness of pre-apprenticeships and providing information about the opportunities and associated career pathways through an apprenticeship or traineeship.

**C. Identifying recruitment sites –**

The Government could consider alternative sites for recruitment and models for leveraging those sites, to increase awareness of apprenticeship and trainee pathways. This could include large Government infrastructure sites and TAFE Centres of Excellence.

**D. Coordinating reforms with HeadStart program**

– The implementation of the reforms to the broader apprenticeship and traineeship system proposed by the Taskforce should be closely coordinated with the Government's HeadStart program for school-based apprenticeships and traineeships. Closer engagement between the VET, apprenticeships and traineeships regulator, Apprenticeships Victoria, the Department of Education, and other stakeholders, can embed structured support for apprentices and trainees, such as through programs like Head Start. In turn, this will support higher rates of uptake and retention. Collaborative efforts should be a 2-way dialogue and include:

- i. the improvement of pathways into apprenticeships and traineeships
- ii. promoting apprenticeship and traineeship opportunities to young people
- iii. better preparing candidates for apprenticeships and traineeships
- iv. providing apprenticeships and traineeship opportunities where women apprentices and trainees are supported by their employers and training providers in women friendly environments
- v. promoting these opportunities to young people in school.

**Rationale**

The Government has recently made a significant, positive stride in modernising vocational education in schools, by investing in sweeping reforms to senior secondary schooling, including replacing the Victorian Certificate of Applied Learning with the VCE Vocational Major. Promoting apprenticeships and traineeships as attractive career paths is important to ensure a healthy pipeline of apprentices and trainees in Victoria and to address skill shortages. Coordination with Head Start will ensure that this program – and the Taskforce's broader recommendations – are aligned and mutually reinforcing.

Head Start has expanded access to all Victorian Government schools as of 2023, and initial findings show Head Start supports are contributing to increased rates of completion and retention. While Local Learning and Employment Networks provide some support to non-government schools, there is an opportunity to coordinate reforms from the Taskforce recommendations to better support quality and safety for all SBATs, to ensure a seamless transition from school to work.

When consulted, Apprentices and Trainees were overwhelmingly supportive of this initiative. Many acknowledged there was a lack of exposure to apprenticeship or trainee pathways in schools. Members said that providing additional information in schools was important for destigmatising apprenticeships or traineeships.<sup>96</sup>

SUPPORTING ACTION

02

Explore opportunities to provide ongoing mentoring support

**Description**

Peer to peer support and mentoring programs can be beneficial to apprentice and trainee retention and builds a sense of belonging. The Victorian Government could play a facilitative role in helping to establish support networks, including engaging with other industry stakeholders who already utilise similar initiatives. This should not duplicate existing similar services provided by some AASNs and GTOs.

**Rationale**

Many apprentices and trainees noted that they would benefit from mentorship throughout their journey, to provide support, answer questions and help them navigate the system. This could help to build a sense of belonging and community, increasing the likelihood of completion.

SUPPORTING ACTION

03

Establish ongoing formal consultation with apprentices and trainees

**Description**

The Victorian Government should explore establishing a formal, ongoing consultation forum similar to the Apprentice and Trainee Reference Group that provided input to the Taskforce.

**Rationale**

The Taskforce found the contributions of the ATARG invaluable throughout our work. It is likely that as Government implements its reform agenda, further input from apprentices and trainees will be needed. Establishing an ongoing forum can ensure those affected most by these reforms are frequently consulted on their implementation.

<sup>96</sup> Research commissioned by Apprenticeships Victoria







# Appendix A: Taskforce details

This appendix details the remit of the Taskforce and background of its members. It also provides the ToR for the Apprentice and Trainee Reference Group.

## A.1 Terms of Reference

### Context

The Victorian Government is establishing an Apprenticeships Taskforce ('the Taskforce') to improve fair treatment and safety for apprentices as they get started in their careers. This will build upon the important work of Apprenticeships Victoria and Apprenticeships Support Officers, and the work of dedicated TAFE trainers in Victoria.

The establishment of the Taskforce responds to concerns from stakeholders, including apprentices, unions and industry about a rise in harms to apprentices and trainees. Harms include employers failing to meet their obligation to provide a fair and safe workplace, free from underpayment of wages or other entitlements, bullying and other unsafe work practices. These harms directly impact the apprentice's wellbeing, likelihood of completion and the status of apprenticeships in the community. Poor work conditions have contributed to poor mental health impacts for apprentices and trainees including suicide.

Separately, as well as the serious individual adverse outcomes noted, non-completion of apprenticeships reduces the supply of skilled workers that industry and the economy needs. The Government has a range of programs to support growth in apprenticeship and trainee pathways and ensure that apprentices and trainees are supported to complete their training.

### Membership

The Taskforce is led by a Chairperson with high level industrial relations experience who is independent of the current regulation of apprentices and traineeships in Victoria, and representatives with knowledge of the apprenticeship and traineeship system from unions, industry and Government.

### Scope of work

The Taskforce will advise the Minister for Training and Skills and the Minister for Industrial Relations on how to strengthen the regulation of apprenticeships and traineeships in Victoria so that apprentices and trainees have an improved experience, employers continue to support the apprenticeship and traineeship system and more apprentices and trainees complete their apprenticeship and traineeship. In doing so it will consider:

- regulatory arrangements, including clearer objectives and functions for the regulator
- improving responsiveness of regulators and streamlining actions and communications in the event of an incident
- strengthening screening processes and oversight of training plans
- simplifying complaint reporting for apprentices encountering mistreatment at work and supporting enforcement of remedies
- strengthening reporting and accountability of employers
- establishing a more rigorous process to ensure that employers who have mistreated apprentices – including by failing to pay wages and entitlements – are prevented from employing apprentices.

### Roles and responsibilities

The work of the Taskforce will be confidential, and members will need to declare any actual or perceived conflict of interest. Meetings will be conducted in accordance with normal meeting procedures.

Members will be asked to:

- provide input into matters under consideration by the taskforce and participate in decisions relating to those matters
- keep confidential the matters discussed at taskforce meetings
- undertake agreed actions allocated to them by the chairperson
- adhere to the code of conduct for directors of Victorian public entities (code of conduct for directors of Victorian Public Entities | [boards.vic.gov.au](https://boards.vic.gov.au)).

## Meetings

The Taskforce will meet regularly (at least 6 times) between July 2023 and March 2024.

Meetings will be conducted in person with on-line options. A quorum will be established when 50% or more of the members (or their proxies) are in attendance.

It is a requirement that members attend at least 75% of meetings.

The Taskforce members can nominate a proxy from their organisation in the event of them not being able to attend a meeting.

The Taskforce will be supported in its work by a secretariat from within the Apprenticeships Victoria division of the Department of Jobs, Skills, Industry and Regions (DJSIR).

The Chairperson will lead the meetings, and seek consensus from the Taskforce. Where this is not possible the Chairperson will be the final arbiter. The Chairperson and all members will be responsible for respectful engagement at meetings and all Taskforce forums.

## Consultation

In addition to meeting, the Taskforce is expected to consult broadly with stakeholders. This includes specifically with apprentices and trainees, small business and regulators. The Taskforce must ensure the lived experiences of apprentices are at the heart of its work.

The Taskforce will be informed by an apprentice and trainee reference group. The reference group will include apprentices and trainees from across Victoria representing a range of occupations and training statuses.

The Taskforce is required to consult with the Victorian Registration and Qualification Authority, WorkSafe Victoria and the Regulators' Operational Working Group, which is a forum for regulatory bodies with responsibility for apprentices and trainees. It may also wish to consult with other individual members of the Group.

## Reporting

The Taskforce will develop recommendations in a final report. The Chairperson is responsible for submitting the final report to the Taskforce Secretariat, which will then be submitted by 15 March 2024 to the Minister for Training and Skills and the Minister for Industrial Relations for their consideration.

## Secretariat

The Taskforce will be coordinated by a secretariat within DJSIR, Apprenticeships Victoria division and supported by Industrial Relations Victoria.

The Secretariat will:

- arrange taskforce meetings
- prepare meeting papers in consultation with the chairperson
- take minutes and record actions of meetings
- commission work to inform taskforce findings and recommendations
- coordinate consultation sessions
- provide other support, as necessary.

## A.2 Taskforce Members

The Taskforce comprised a range of experts, as shown at Table 2. The table also includes proxy members who attended one or more meeting in place of an original member.

Table 2 | Taskforce members

Member	Role
<b>Sharan Burrow</b>	<b>Chair</b>
<b>Iain Ross</b>	<b>Special Adviser</b>
<b>Amanda Threlfall</b>	Assistant Secretary of Victorian Trades Hall Council
<b>Felicity Sowerbutts</b>	Director of the Young Workers Centre
<b>Catherine Hinton</b>	Lead Organiser Special Projects at the Australian Workers Union
<b>Tony Mavromatis</b>	Victorian Branch State Secretary of the AMWU
<b>Michael Watson</b>	Political Officer of the Victorian branch of the Electrical Trades Union
<b>Liam O’Hearn</b>	Apprentice Liaison Officer at the CFMEU
<b>Steve Rocco</b>	Apprentice Officer at the Plumbing and Pipe Trades Employees Union
<b>Imogen Beynon</b>	Deputy Director of the United Workers Union
<b>Gary Workman</b>	Executive Director of the Apprenticeship Employment Network
<b>Peter Canavan</b>	Senior Policy Officer at Ai Group
<b>Corrie Williams</b>	Director of the Master Builders Association of Victoria’s Collaboration and Innovation Centre
<b>Brendan Gould</b>	Executive Manager Training Services at Master Plumbers
<b>Gideon Perrott</b>	CEO of NECA Education and Careers
<b>Nigel Muller</b>	Executive Manager of Training, Automotive Apprenticeships and Skills Development Centre at the Victorian Automotive Chamber of Commerce
<b>Kristian McCarthy</b>	General Manager – Membership and Apprenticeship Services at Victorian Chamber of Commerce and Industry
<b>Jill Walsh</b>	Victorian Rail Advocate
<b>Meena Naidu</b>	Associate Deputy Secretary, Economic Recovery (DJSIR)
<b>Craig Robertson</b>	Chief Executive Officer of the Victorian Skills Authority
<b>Matt O’Connor</b>	Deputy Secretary, Industrial Relations Victoria (IRV)
<b>James Lea</b>	A/Director, Young Workers Centre (proxy for Felicity Sowerbutts)
<b>Tony Piccolo</b>	Assistant Secretary, Australian Manufacturing Workers’ Union (proxy for Tony Mavromatis)
<b>Lachlan Mullins</b>	Apprentice Officer, Australian Manufacturing Workers’ Union (proxy for Tony Mavromatis)
<b>Shara Teo</b>	United Workers Union, (Proxy for Imogen Beynon)
<b>Jarrold Cartwright</b>	General Manager Employer and Technical Support, Victorian Chamber of Commerce and Industry (Proxy for Kristian McCarthy)
<b>Lee-Anne Fisher</b>	Deputy CEO, Victorian Skills Authority (Proxy for Craig Robertson)

## A.3 Apprentice and Trainee Reference Group Terms of Reference

### Context

The Apprentice and Trainee Reference Group ('the Reference Group') will support the work of the Victorian Government's Apprenticeships Taskforce (the Taskforce). The Taskforce has been established to improve fair treatment and safety for apprentices. It responds to concerns from stakeholders, including apprentices, unions and industry about a rise in harm to apprentices and trainees.

The Reference Group will provide the apprentice and trainee perspective to the Taskforce. It will provide apprentices a voice to help shape matters that may be directly relevant to their work experiences. It will comprise of apprentices and trainees from across Victoria, drawing from a range of occupations, locations, training status and other characteristics.

### Membership eligibility (apprentices and trainees)

The Reference Group will be made up of individuals with current or recent experience of the Victorian apprenticeship and traineeship system.

To be eligible for the Reference Group, candidates will have either: an active training contract, a cancelled training contract (within one year) or will have completed their training contract (within one year).

Apprentices and trainees under the age of 18 years will need parental permission to participate.

### Constituting the Reference Group

A professional facilitator will be engaged to constitute the Reference Group and to conduct its meetings. The group will comprise of about 20 individuals.

The facilitator will ensure the Reference Group is broadly representative. In doing so they may consult with Taskforce members as well as other entities with contacts with under-represented groups, priority cohorts and regional Victorians. Elements of consideration for representation include but are not limited to:

- location (metro/regional)
- First Nations people
- people with disability and/or additional needs
- school-based
- women
- culturally and linguistically diverse
- mature aged.

The Taskforce Secretariat will assist the consultants in comprising the Reference Group and the Taskforce Chair will approve its final composition.

A list of entities that will be consulted, but not limited to, in constituting the Reference Group is provided at Attachment 1.

### Scope of work

The Reference Group will advise the Taskforce on issues of concern to apprentices and trainees. It will also provide feedback on what is working in the system. The Reference Group will consider and respond to specific inquiries from the Taskforce within the Taskforce's scope of work and provide feedback on the proposed recommendations of the Taskforce.

The scope of the Taskforce includes:

- regulatory arrangements, including clearer objectives and functions for the regulator
- improving responsiveness of regulators and streamlining actions and communications in the event of an incident
- strengthening screening processes and oversight of training plans
- simplifying complaint reporting for apprentices encountering mistreatment at work and supporting enforcement of remedies
- strengthening reporting and accountability of employers
- establishing a more rigorous process to ensure that employers who have mistreated apprentices – including by failing to pay wages and entitlements – are prevented from employing apprentices.

In making its recommendations the Taskforce will have regard to:

- the requirements of a modern apprenticeship system, including examples of best practice and work currently undertaken in other jurisdictions
- the regulatory environment and the extent to which it may discourage business from engaging apprentices as well as how businesses can be encouraged to engage apprentices
- interactions with any relevant Commonwealth regulation
- the application of workplace laws and instruments to apprentices and trainees, including the effectiveness of the enforcement of those laws
- the impact of apprentice and trainee pay and conditions on commencements, completions and long-term workforce needs
- limitations of Victoria's legislative powers over industrial relations.

## Meetings

The Reference Group is a sub-committee of the Taskforce. As such, the Taskforce Chair or their nominee from the Taskforce will attend Reference Group meetings to ensure a direct link between the work of the Taskforce and the Reference Group.

The Reference Group is anticipated to meet 3 times. The first meeting is expected to identify issues through open discussion, the second to consider responses to these issues, with the third to provide feedback on Taskforce recommendations.

The Reference Group will be supported by an external facilitator. The facilitator will have appropriate skills to facilitate meetings and provide accurate reporting of proceedings.

Meetings will be conducted with on-line and in-person options and will be scheduled at times that support participation of apprentices and trainees.

The work of the Reference Group will be confidential. Members will be asked to sign a confidentiality agreement. This is to protect the integrity of Taskforce information and the privacy of Reference Group members. Apprentices and trainees will be encouraged to speak freely of their experiences with the understanding that information will be treated in confidence.

All members of the Reference Group and those assisting the Group will be responsible for respectful engagement at meetings, ensuring all parties have equal opportunity to contribute.

Reference Group members are encouraged to engage with their apprentice and trainee peers to develop a broader system perspective.

## Reporting

The Reference Group will advise the Taskforce from an apprentice and trainee perspective primarily through feedback provided at Reference Group meetings. Members will not be attributed to specific statements without their permission.

If they consent, members of the Reference Group may be listed in the Taskforce report and acknowledged for their contribution.

## Remuneration

In acknowledgement of the need to encourage participation by apprentices and trainees Reference Group members will receive a daily sitting fee for attending meetings. This is to be \$237 per day. Where official duties equal or exceed 4 hours, the daily rate will be paid. Official duties of less than 4 hours will be paid at half the daily rate. No additional payment is made for reading and preparation time, this is included in the sitting fee. Travel and accommodation costs will also be provided where necessary.

## Facilitator and Secretariat

The Reference Group will be primarily organised by the facilitator. The facilitator will:

- arrange meetings
- prepare meeting papers or other resources in consultation with the Taskforce Chair
- record proceedings and providing a written record of each meeting and an overall summary.

The Taskforce Secretariat will be responsible for:

- monitoring attendance and arranging payments
- liaising with the facilitator and the Taskforce Chair
- providing other support as necessary.

## Additional targeted consultation

The facilitator will also be engaged to conduct up to 6 targeted consultation sessions with specific groups who may have encountered particular experiences or issues. This may include apprentices and trainees, who are:

- First Nations people
- people with disability
- school-based
- women working in male dominated industries
- mature aged.

## Psychosocial safety

The facilitator will ensure that Reference Group meetings and targeted consultations will be resourced with appropriately qualified officers to manage the psychosocial safety of apprentices and trainees in attendance.

### Attachment 1: Organisations/Groups that will be consulted, but not limited to, in constituting the Apprentice and Trainee Reference Group

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Taskforce members

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Koorie Youth Council

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Melbourne Apprenticeship Disability Network

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Tradeswomen Australia

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Victorian Multicultural Youth Network

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Department of Education regarding school-based apprentices and trainees

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Apprenticeships Victoria's Apprenticeship Support Officers

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TAFEs (via Office for TAFE Coordination and Delivery) particularly for regional representatives

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# Appendix B: Consultation

Table 3 lists the stakeholders consulted, where appropriate in line with confidentiality requirements. These consultations (listed) are those that were undertaken with stakeholders not directly represented on the Taskforce.

Table 3 | Consultation register

Category	Stakeholder(s)
Sector support	Apprenticeship Employment Network (AEN) Field Officers
Sector support	AEN OHS Network
Sector support	Head Start coordinators (SBATs)
Sector support	Apprenticeship Support Officers (ASOs)
Union	Community and Public Sector Union (CPSU) – Victorian Branch
Union	Australian Education Union (AEU)
Employer	GTO CEOs
Advocacy and advisory	Empowered Women in Trades (EWIT)
Advocacy and advisory	Women in Apprenticeships Advisory Group (WIAAG)
Regulator	Energy Safe Victoria
Regulator	Fair Work Ombudsman
Regulator	Labour Hire Authority
Regulator	VRQA
Regulator	Victorian Building Authority
Regulator	Wage Inspectorate Victoria
Regulator	WorkSafe
Government	Minister for Skills and Training of Australia – The Hon Brendan O'Connor MP
Government	Victorian Small Business Commission (VSBC)
Government	Gender Equality Commissioner
Government	Commission for Children and Young People (CCYP)
Government	Local Jobs First Commissioner
Government	Disability Worker Commission
Government	Victoria TAFE Network Council (VTNC)
Government	Principal advisers group of the Senior Secondary Pathways Reform Taskforce
Education	Secondary School Principals (x5)
Education	Australian Centre for Career Education
Peak body	Victorian TAFE Association
Peak body	National Electrical Contractors Association (NECA)
Peak body	Australian Retail Association
Peak body	Australian Childcare alliance
Peak body	Australian Aged Care Collaboration
Apprentices and trainees	Apprentice and Trainee Reference Group, a sub-committee of the Taskforce (see Appendix A)
Apprentices and trainees	Focus groups with priority cohorts: <ol style="list-style-type: none"> <li>1. Women apprentices and trainees</li> <li>2. First Nations apprentices and trainees</li> <li>3. Mature-aged apprentices and trainees</li> <li>4. Apprentices and Trainees with a disability</li> <li>5. Apprentices and Trainees from a culturally and linguistically diverse (CALD) background</li> </ol>

# Appendix C: Key parties in the system

Table 4 describes the key parties in the apprenticeship and trainee system.

Table 4 | Key parties in the system

Party	Description
<b>Employer</b>	<p>The employer recruits an apprentice or trainee like they would any other employee. Next, they contact an Apprenticeship Network Provider (See below) to arrange to formalise the apprenticeship or traineeship through a Training Contract.</p> <p>As part of this contract, the employer must provide a safe workplace where quality training, practical instruction and learning can occur under relevant award wages and conditions.</p> <p>The employer may also be a Group Training Organisation (GTO). A GTO recruits apprentices and trainees, pays their wages and places them with a host employer who conducts their workplace training. The host employer pays a fee which covers the GTO's costs.</p> <p>Different agencies have an underpinning role in regulating these arrangements. The VRQA (see below) regulates the training contract and maintains a register of GTOs. Workplace safety is regulated by Work Safe Victoria (see below) and the pay and conditions for apprentices and trainees are regulated by the Fair Work Ombudsman (See below).</p>
<b>Apprentice or trainee</b>	<p>By signing the Training Contract, the apprentice or trainee agrees to carry out their obligations as an employee while receiving workplace training, engaging in formal training, completing tests and assessments, and obtaining a nationally recognised qualification.<sup>97</sup> The obligations of the Training Contract are explained to the apprentice or trainee by the ANP (see below) at the time of sign up.</p>
<b>Registered Training Organisation (RTO)</b>	<p>The RTO (TAFE, industry or private) delivers the apprentice or trainee's formal training so they can gain a nationally recognised qualification. As part of this process, the RTO develops a Training Plan in consultation with the employer and the apprentice or trainee, provides the employer with training support, monitors progress, and assess the learner's competence. When all competencies have been achieved, they issue the qualification. Note that under competency-based completion the employer must agree that the apprentice or trainee is able to put the competencies they have learnt through formal training, into practice in the workplace.</p> <p>The cost of training for most apprenticeships and traineeships is subsidised by the Victorian Government through the Skills First funding program. However, the RTO will also typically charge a tuition fee. Tuition free training is available for some traineeship courses through Free TAFE. Free TAFE does not apply to apprenticeships.</p>
<b>Apprenticeship Network Provider (ANP)</b>	<p>ANPs suggest training delivery options, prepare the Training Contract, and explain everyone's rights and responsibilities. They will also advise of any incentives the employer or apprentice/trainee is entitled to. ANPs and the Commonwealth incentives program are funded and managed by the Commonwealth Government. ANPs also offer job matching and in-training support.</p>

<sup>97</sup> Apprentices and trainees commonly undertake Certificate III qualifications. For example, an apprentice electrician will undertake the Certificate III in Electrotechnology.

Party	Description
<b>Workplace supervisor</b>	<p>The role of the workplace supervisor is integral to the apprentice or trainee's success. In small businesses the employer may also be the supervisor. In larger business the supervisor may be an appropriately qualified employee appointed by the employer. As a coach and mentor, the supervisor shows the apprentice or trainee how to do their job safely and correctly, including supervising them as they practise new skills (until competent), ensure their safety, provide feedback, and supply assessment evidence to the RTO.</p> <p>The employer's responsibilities for proper supervision of their apprentices and trainees is regulated by the VRQA (see below).</p>
<b>The Victorian Registration and Qualifications Authority (VRQA)</b>	<p>The VRQA regulate apprenticeships and traineeships in Victoria<sup>98</sup>. They are responsible for approving employers, registering Training Contracts and ensuring the parties to the contract meet their responsibilities. The VRQA also provides information about apprenticeships and traineeships, advice regarding the Training Contract, mediation and dispute resolution services and referral to other support services and agencies including Apprenticeship Support Officers (ASOs) (See below).</p> <p>On successful completion of the apprenticeship or traineeship, VRQA issue a letter of completion to the apprentice or trainee and for completing apprentices they also issue a Trade Paper. This is in addition to the formal qualification the apprentice or trainee receives from their RTO.</p> <p>The VRQA's regulatory field services are provided by VRQA authorised officers with powers to enter a workplace, make inquiries and inspect and copy documents. They make routine visits to workplaces, check in via phone and follow specific referrals.</p> <p>The VRQA also determines which qualifications are apprenticeships or traineeships and sets certain conditions for each such as the nominal duration of the apprenticeships or traineeship and if the apprenticeship or traineeship is suitable for delivery as school-based apprenticeship or traineeship. This information is set out in a list of Approved Training Schemes maintained by the VRQA.</p> <p>The VRQA also maintains a register of Group Training Organisations (GTOs). Only GTOs that meet the National Standards for GTOs are admitted to the register. GTOs must also be licensed by the Labour Hire Authority (see below).</p>
<b>Apprenticeships Victoria (AV)</b>	<p>Apprenticeships Victoria (AV) provides policy advice to the Victorian Government and works with stakeholders to coordinate the apprenticeship and traineeship system in Victoria. AV is a Division within the Victorian Department of Jobs, Skills, Industry and Regions. AV also manages Victorian Government funded programs and projects to support the apprenticeship and traineeship system. Programs include:</p> <p>Big Build Apprenticeships where AV works with employers on major projects to boost apprentice and trainee participation.</p> <p>Apprenticeships Support Officers (ASOs) (see below) who provide support and referral services to apprentices, who need assistance.</p> <p>The Victorian Group Training Program which provides funding to GTOs to incentivise the employment of apprentices and trainees including people from groups that are underrepresented in the apprenticeships and traineeships system.</p> <p>The Retrenched Apprentices and Trainees Program which assists apprentices and trainees who have lost employment to find a new employer.</p>

<sup>98</sup> The VRQA is an independent Victorian statutory authority which regulates different aspects of the education and training system including apprenticeships and traineeships.



Party	Description
<b>Apprenticeship Support Officers (ASOs)</b>	<p>Apprenticeship Support Officers (ASOs) are located across Victoria and offer a free and confidential support and advice service. This means apprentices and employers can receive help with the workplace, training or personal issues that often affect apprenticeships. There are 28 ASOs working out of 12 sites across the state, providing a local service in Melbourne and in regional Victoria.</p> <p>ASOs may refer apprentices to other services available from a range of government, not-for-profit and private providers. These include advice on industrial matters such as the employer's responsibility towards their apprentice or trainee when it comes to wages, working conditions and safety, mentoring and counselling services, and information on financial assistance. The ASO program is funded by the Victorian Government and managed by AV (see above).</p>
<b>School</b>	<p>A school-based apprentice or trainee undertakes training part-time as an integrated part of their Senior Secondary Certificate. The apprentice or trainee's school will endorse the Training Plan and will help integrate employment and training as part of the school's curriculum. This includes facilitating communication between all parties, monitoring the apprentice or trainee's progress and wellbeing via regular catch-up sessions, and keeping track of their attendance at the workplace.</p> <p>The Head Start program is a model of school-based apprenticeships and traineeships that features pathway planning, wrap-around supports and increasing days in the workplace as students build vocational competency.</p>
<b>Fair Work Ombudsman</b>	<p>The Fair Work Ombudsman is a Commonwealth Government entity which oversees the rules about minimum pay and conditions. This includes apprentices and trainees and covers things such as what an apprentice or trainee should be paid, different entitlements that apply to apprentices or trainees and notice periods for terminating employment.</p>
<b>Work Safe Victoria</b>	<p>WorkSafe Victoria is the State's workplace health and safety regulator and manager of Victoria's workers compensation scheme. In some occupations other regulators also have a role. For example, Energy Safe Victoria works to ensure the safety of those working with electricity and gas, including apprentices.</p> <p>Apprentices and trainees face particular challenges as they are often young and inexperienced and may not be aware of the hazards they face in the workplace. Adequate supervision of apprentices and trainees is very important to their safety.</p>
<b>Labour Hire Authority</b>	<p>The Labour Hire Authority is responsible for licensing labour hire providers, operating in Victoria and undertaking education, enforcement and compliance activity. This is to protect workers against exploitation from unlicensed labour hire providers and to protect licensed providers from unfair competition from unlicensed providers.</p> <p>GTOs are licensed with the Labour Hire Authority as well as being recognised by the VRQA. Labour hire providers who are not GTOs may also employ apprentices and trainees and host them with different businesses.</p>
<b>Victorian Building Authority</b>	<p>The Victorian Building Authority (VBA) regulates the building industry including registering building practitioners including plumbers and inspecting building sites to monitor compliance with building codes and regulations. Additionally, the VBA publishes resources and information to the public. The VBA is responsible for registering and licensing plumbing practitioners.</p>
<b>EnergySafe Victoria</b>	<p>EnergySafe Victoria regulates the electrical industry including licensing electricians and inspects electrical work.</p>
<b>Wage Inspectorate</b>	<p>Wage Inspectorate Victoria promotes and enforces Victoria's child employment laws long service leave entitlements, owner driver, forestry contractor, hirer and freight broker obligations.</p>

# Appendix D: Information sheets

This section has the following information sheets with essential information about:

- Apprenticeship or Traineeship
- Residential Construction Apprenticeship
- Hairdressing and Barbering Apprenticeship

# ESSENTIAL INFORMATION ABOUT YOUR APPRENTICESHIP OR TRAINEESHIP



This sheet contains general information for Victorian apprentices and trainees which is designed to supplement your Training Contract – not replace it. Here you will find essential information about your training arrangement, workplace safety, wages and conditions and will help you understand your rights and responsibilities.

You will find contacts below to get the right help early if any issues or concerns arise.

## YOUR TRAINING DETAILS

<b>Max hours of work</b>	Full-time = 38 hours per week. Part-time = refer to your training contract
<b>Your probationary period</b>	Usually 90 days from the commencement date on your training contract – check your training contract to confirm.
<b>Your training contract</b>	<p><b>If you are an apprentice</b> – both you and your employer must agree to cancel, suspend or vary your Training Contract. Protections apply to you under the law – seek advice about the implications of agreeing to any change or cancellation by contacting your Apprenticeship Support Officer.</p> <p><b>If you are a trainee</b> – both you or your employer can cancel your Training Contract at any time without the need for consent (unless you are under 18 years when parent agreement is required).</p>
<b>Competency based progression and completion</b>	Apprenticeships and traineeships can be completed before the end date on your Training Contract. This date is only an indication of the time you may need to complete your training arrangement. This is finished when you have completed all the required competencies of your qualification through your registered training organisation (RTO), <b>and</b> your employer has confirmed that you can put the skills and knowledge learnt into practice in the workplace. Your Training Plan sets out this information – it is a living document so keep it up to date together with your RTO and remind your employer to sign off on the skills you steadily acquire as you apply them competently on-the-job.
<b>Where to find more information about your training arrangement</b>	<p>The <b>Victorian Registration and Qualifications Authority (VRQA)</b> is an independent agency that works to assure the quality of education and training in Victoria. The Authority regulates apprenticeships and traineeships in Victoria and makes routine visits to workplaces to ensure both parties are meeting their obligations. The VRQA can also provide advice and help to resolve disputes about the training arrangement, as well as investigate when required.</p> <p>Contact <a href="http://www.vrqa.vic.gov.au">www.vrqa.vic.gov.au</a> or T: 1300 722 603</p>
<b>Important actions for you – check that these are now all complete</b>	<p>You have been enrolled with an RTO within 3 months of commencing the Training Contract.</p> <ul style="list-style-type: none"> <li>You have signed an agreed Training Plan with your employer and RTO.</li> <li>You have your own copy of the Training Plan which should clearly state what training you will receive and when (both on and off-the-job).</li> <li>You know that you can progress through your apprenticeship or traineeship at a rate that reflects your skills development rather than to a specific timeframe.</li> </ul>
<b>Pay Tool</b>	<p>Use the interactive <b>Pay and Conditions Tool</b> available at <a href="http://www.calculate.fairwork.gov.au">www.calculate.fairwork.gov.au</a> to check that you are being paid correctly.</p> <p>The <b>Pay and Conditions Tool</b> helps employers to calculate the correct pay, shift, leave entitlements and enables workers to check their pay is correct.</p> <p>To find out more call the <b>Fair Work Ombudsman</b> on 13 13 94.</p>

## WAGES AND CONDITIONS

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<b>Award or enterprise agreement?</b>	<p>Employment law, which determines your pay and conditions, can be complex but the first place to start is by understanding whether you are covered by an award or an agreement. Awards cover industries or job types – agreements cover employers or workplaces.</p> <p>Your Training Contract details your employment arrangement, but if in doubt your employer must let you see a copy of your award or agreement.</p> <p>Most commonly you will be employed under an Award which is a legal document that contains minimum rates of pay and the conditions of employment. You can find your award at <a href="http://www.fwc.gov.au/agreements-awards/awards/find-award">www.fwc.gov.au/agreements-awards/awards/find-award</a></p> <p>Enterprise agreements are often similar to awards and has terms and conditions for the employees it covers in a business or organisation. They may also have some terms and conditions that are different from the award. If an agreement applies to you, the modern award does not apply even if it covers your industry or job type. The Fair Work Commission must approve all agreements and publish them on their website. You can find all enterprise agreements at <a href="http://www.fwc.gov.au/agreements-awards/enterprise-agreements/find-enterprise-agreement">www.fwc.gov.au/agreements-awards/enterprise-agreements/find-enterprise-agreement</a></p>
<b>Minimum requirements</b>	<p>Employers must provide their employees with at least the minimum terms and conditions under the <a href="http://www.fwc.gov.au/agreements-awards/minimum-wages-and-conditions/national-employment-standards">www.fwc.gov.au/agreements-awards/minimum-wages-and-conditions/national-employment-standards</a>.</p> <p>You should get the same entitlements as any other employee such as annual leave, sick leave, parental leave, public holidays and rest breaks.</p>
<b>Essential information about time in training</b>	<p>An employee can only be paid apprentice pay rates if they have a formal training contract with their employer. The training must be registered and recognised by the VRQA. Higher rates of pay may apply prior to training sign-up and this period of work will not count as part of your apprenticeship period.</p> <p>There are 2 ways an apprentice can move to the next level of an apprenticeship:</p> <ul style="list-style-type: none"><li>• time-based – the apprentice moves up to the next pay level after they've worked a certain amount of time (for example, 12 months)</li><li>• competency-based – the apprentice moves to the next pay level when they've achieved a set amount of the total skill or training requirements of the apprenticeship (which might be earlier than 12 months) as outlined above.</li></ul>
<b>Allowances payable by your employer</b>	<p>Training fees and textbooks for your apprenticeship course must be reimbursed by your employer as long as you have made satisfactory progress.</p> <p>If you are required to supply tools, equipment or protective clothing, boots or equipment for your work then your employer will likely be required to pay you an allowance or reimburse costs. Allowances differ across awards and agreements.</p> <p>Apprentices and trainees may be entitled to a range of other allowances for travel, meals, living away from home, etc. Check your award or registered agreement for details or contact your union for individual advice.</p>
<b>Where to find more information about workplace rights</b>	<p>In the first instance, speak to your employer about any pay queries.</p> <p>You can also check your award or agreement for more detailed information at <a href="http://www.fairwork.gov.au">www.fairwork.gov.au</a></p> <p>Unions represent employees in the workplace and provide their members with information, advice and support. Apprentices and trainees are free to join or not join a union and it is illegal for a person to pressure another about their choice. Visit <a href="http://www.australianunions.org.au">www.australianunions.org.au</a> to help identify the right union for your work. You may wish to contact the Young Workers Centre which provides advice and support about rights at work for those under 30 years at <a href="http://www.youngworkers.org.au">www.youngworkers.org.au</a> or T: 1800 714 754.</p>

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## TRAINING RESPONSIBILITIES

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<b>Your responsibilities as an apprentice</b>	<p>Under your Training Contract you are expected to:</p> <ul style="list-style-type: none"><li>• attend and work in a professional and courteous manner, while respecting the rights of others at work</li><li>• take care of your employer's property and resources, and treat employer information as confidential</li><li>• make all reasonable efforts to achieve the competencies in your training plan, and complete all the required assessments</li><li>• attend training sessions or supervised workplace activities, and take advantage of learning opportunities</li><li>• maintain a training record book.</li></ul>
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<b>Your employer's responsibilities to you</b>	<p>Your employer is responsible for:</p> <ul style="list-style-type: none"><li>• Making sure you receive the correct training and are enrolled with a registered training organization (RTO)</li><li>• Allowing you to leave work to attend off-the-job training</li><li>• Ensuring you are appropriately and safely supervised by people with the skills and attributes to train you on-the-job</li><li>• Providing the appropriate facilities and equipment to enable you to gain the skills you require</li><li>• Work with your RTO to follow your Training Plan and ensure your skills are developed and progressed and appropriate records are kept</li><li>• Paying you in accordance with the Award or EBA</li><li>• Protect your health and safety so far as is reasonably practicable.</li></ul>
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## YOUR HEALTH AND SAFETY

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<b>Your employer's responsibilities</b>	<p>Employers have a duty to protect the health and safety of employees while at work – this includes both physical and mental safety.</p> <p>Employers must, so far as is reasonably practicable, provide and maintain a working environment that is safe and without risks to health. Employers must eliminate or reduce risks so far as is reasonably practicable.</p>
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<b>Your responsibilities</b>	<p>You must take reasonable care for your own health and safety and that of others who may be affected by your work.</p> <p>You must cooperate with your employer's efforts by:</p> <ul style="list-style-type: none"><li>• following the workplace safety policies and procedures</li><li>• attending health and safety training and following the instructions and advice provided</li><li>• using equipment supplied by your employer and personal protective equipment as instructed.</li></ul> <p>You can help prevent risks to workplace health and safety by notifying the employer of any hazards.</p> <p>You must also report any workplace incident or injuries to your employer.</p>
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<b>Where to find further safety information</b>	<p><b>WorkSafe Victoria</b> is Victoria's workplace health and safety regulator, and workplace injury insurer. WorkSafe provides a wide range of information and guidance on their website at <a href="http://www.worksafe.vic.gov.au">www.worksafe.vic.gov.au</a> or via a telephone advisory service on T: 1300 136 089. Anonymous reports can be made if needed.</p>
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## WHERE TO GET MORE HELP AND ADVICE

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### Apprenticeships Victoria

Apprenticeships Victoria's Apprenticeship Support Officers are located across Victoria and provide confidential and independent support and advice to apprentices, trainees and employers. They can assist in resolving workplace, training and personal issues that may impact on an apprenticeship.

[www.apprenticeships.vic.gov.au](http://www.apprenticeships.vic.gov.au) T: 1300 311 820

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### Apprenticeship Network Providers (ANP)

ANP's are contracted by the Commonwealth Department of Employment and Workplace Relations to provide free advice and support services to employers and apprentices/trainees to help them from pre-commencement to completion of the apprenticeship or traineeship. The ANP is required to personally visit employers and apprentices/trainees to assist in the completion of the Training Contract. The providers contracted to deliver services in Victoria are:

- **Apprenticeship Support Australia (ASA)**  
T: 1300 363 831
  - **MEGT (Australia) Ltd**  
T: 136 348
  - **MAS National Ltd**  
T: 1300 627 628
  - **Sarina Russo Job Access (Aust) Pty Ltd**  
T: 1300 178 776
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### Fair Work Ombudsman

The **Fair Work Ombudsman** helps both employers and workers follow the laws that make workplaces fair and equal. They have extensive information and tools available on their website about workplace entitlements and can provide advice about tackling a workplace problem. You can also lodge an online enquiry or make an anonymous report through their website.

[www.fairwork.gov.au](http://www.fairwork.gov.au) T: 13 13 94

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### Wage Inspectorate Victoria

In Victoria, deliberately and dishonestly withholding wages or other entitlements is considered wage theft and is a criminal offence.

Wage Inspectorate Victoria investigates allegations of wage theft.

[www.wageinspectorate.vic.gov.au](http://www.wageinspectorate.vic.gov.au) T: 1800 287 287

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## NEED MORE HELP?

### Use the central help desk

With many organisations playing a role in overseeing training, employment and workplace arrangements for apprentices and trainees, it can be difficult to know where to go if you need more than information and advice.

Apprenticeships Victoria provides a 'one-stop-shop' help desk to help you navigate the system and to assist all apprentices and trainees or employers with their concerns. Confidential advice streamlined referrals and practical help is available to ensure that workers are protected and safe as they train and employers get practical support to ensure they meet their responsibilities.

T: 1300 311 820



# ESSENTIAL INFORMATION ABOUT YOUR RESIDENTIAL CONSTRUCTION APPRENTICESHIP



This sheet contains general information for an apprentice carpenter, joiner, carver, floor sander, letter cutter, stonemason, artificial stoneworker, marble and slate worker or tile layer. Information here is designed to supplement your Training Contract – not replace it.

It contains essential information about your training arrangements, safety, wages and conditions and will help you understand your rights and responsibilities as an apprentice. You will find contacts here to get the right help early if any issues or concerns arise.

## YOUR TRAINING DETAILS

<b>Training Qualification</b>	Certificate III in either Carpentry (CPC30220), Joinery (CPC31920), Stonemasonry (CPC32320) or Wall and Floor Tiling (CPC31320).
<b>Your work and study commitment</b>	Full-time = 38 hours per week. Part-time = refer to your Training Contract
<b>Max. duration of your training</b>	4 Years (or up to 6 years if you are part-time)
<b>Your probationary period</b>	90 days from the commencement on your training contract
<b>Your training contract</b>	<p>Your employer should arrange for your training contract to be signed within 2 weeks of the commencement of your apprenticeship.</p> <p>Both you and your employer must agree to cancel, suspend or vary your Training Contract. Protections apply to you under the law – seek advice about the implications of agreeing to any change or cancellation from your Apprenticeship Support Officer or your union.</p>
<b>Where to find more information about your training arrangement</b>	<p>The <b>Victorian Registration and Qualifications Authority (VRQA)</b> is an independent agency that works to assure the quality of education and training in Victoria. The Authority regulates apprenticeships and traineeships in Victoria and makes routine visits to workplaces to ensure both parties are meeting their obligations. The VRQA can also provide advice and help to resolve disputes, as well as investigate when required.</p> <p>Contact <a href="http://www.vrqa.vic.gov.au">www.vrqa.vic.gov.au</a> or T: 1300 722 603</p>
<b>Important actions for you – check that these are now all complete.</b>	<ul style="list-style-type: none"> <li>• You have been enrolled with a registered training organization within 3 months of commencing the Training Contract.</li> <li>• You have signed an agreed Training Plan with your employer and RTO.</li> <li>• You have your own copy of the Training Plan which should clearly state what training you will receive and when (both on and off-the-job).</li> <li>• You know that you can progress through your apprenticeship at a rate that reflects your skills development rather than to a specific timeframe.</li> </ul>
<b>Pay Tool</b>	<p>Use the interactive <b>Pay and Conditions Tool</b> available at <a href="http://www.calculate.fairwork.gov.au">www.calculate.fairwork.gov.au</a> if your circumstances are different to those covered here (such as other trades or non-residential construction).</p> <p>The <b>Pay and Conditions Tool</b> helps employers to calculate the correct pay, shift, leave entitlements and enables workers to check their pay is correct. To find out more call the <b>Fair Work Ombudsman</b> on 13 13 94.</p>

## WAGES AND CONDITIONS

<b>Your Award</b>	<b>Building and Construction General On-site Award [MA000020]</b>						
	If your employer has a registered agreement for your workplace covering your trade, then different rates will apply. The information below only relates to the Award.						
<b>Important information about time in training</b>	An employee can only be paid apprentice pay rates if they have a formal training contract with their employer. The training must be registered and recognised by the VRQA. Higher rates of pay will likely apply prior to training sign-up and this period of work will not count as part of your apprenticeship period.						
	There are 2 ways an apprentice can move to the next level of an apprenticeship:						
	<ul style="list-style-type: none"> <li>time-based – the apprentice moves up to the next pay level after they've worked a certain amount of time (for example, 12 months)</li> <li>competency-based – the apprentice moves to the next pay level when they've achieved a set amount of the total skill or training requirements of the apprenticeship (which might be earlier than 12 months).</li> </ul>						
<b>Construction trades and pay rates</b>	The table below provides limited pay information for <b>residential construction</b> work for an apprentice carpenter or joiner, carver, floor sander, letter cutter, stonemason, artificial stoneworker, marble and slate worker or tile layer. Different rates apply to other construction trades such as bricklayers, plasterers, painters, glaziers, etc. and for non-residential construction work or starts before 1 Jan 2014. More detail can be found in the <a href="#">Building and Construction General On-site Award 2020</a> .						
	<b>1st year or stage</b>	<b>1st year or stage</b>	<b>2nd year or stage</b>	<b>2nd year or stage</b>	<b>3rd year or stage</b>	<b>4th year or stage</b>	<b>Adult Apprentice</b>
	– did not complete year 12	– completed year 12	– did not complete year 12	– completed year 12			(≥21 yrs. old at start)
<b>Classification</b>							
<b>Weekly pay rate</b>	\$582.58	\$632.33	\$682.08	\$731.83	\$831.33	\$980.58	\$986.08
<b>Hourly pay rate</b>	\$15.33	\$16.64	\$17.95	\$19.26	\$21.88	\$25.80	\$25.95
<b>Overtime: Mon to Fri and Sat before noon – first 2 hrs</b>	\$23.00	\$24.96	\$26.93	\$28.89	\$32.82	\$38.70	\$38.93
<b>Overtime: Sat – after 12 noon</b>	\$30.66	\$33.28	\$35.90	\$38.52	\$43.76	\$51.60	\$51.90
Not all rate categories are listed above. Higher rates will apply for working certain shifts including overtime > 2 hrs, working on Sundays and Public Holiday, for short shift changeovers and if required to work during meal breaks.							
<b>Allowances which may be payable by your employer</b>	Training fees and textbooks for your apprenticeship course must be reimbursed by your employer as long as you have made satisfactory progress.						
	Tool allowances have been included in the hourly rates above.						
	Apprentices may be entitled to a range of other allowances for travel, meals, protective equipment, living away from home, work on multistorey buildings etc.						
<b>Where to find more information</b>	In the first instance, speak to your employer about any pay queries.						
	You can also check the Award for updates and more detailed information at <a href="http://www.fairwork.gov.au/employment-conditions/awards/list-of-awards">www.fairwork.gov.au/employment-conditions/awards/list-of-awards</a>						
	Unions represent employees in the workplace and can provide their members with information, advice and support.						
	The CFMEU is the union which represent construction workers (T:03 9341 3444) or you can also contact the Young Workers Centre which provides advice and support about your rights at work for those under 30 years at <a href="http://www.youngworkers.org.au">www.youngworkers.org.au</a> or T: 1800 714 754.						



## TRAINING RESPONSIBILITIES

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<b>Your responsibilities as an apprentice</b>	<p>Under your Training Contract you are expected to:</p> <ul style="list-style-type: none"><li>• attend and work in a professional and courteous manner, while respecting the rights of others at work</li><li>• take care of your employer’s property and resources, and treat employer information as confidential</li><li>• make all reasonable efforts to achieve the competencies in your training plan, and complete all the required assessments</li><li>• attend training sessions or supervised workplace activities, and take advantage of learning opportunities</li><li>• maintain a training record book.</li></ul>
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<b>Your employer’s responsibilities to you</b>	<p>Your employer is responsible for:</p> <ul style="list-style-type: none"><li>• Making sure you receive the correct training and are enrolled with a registered training organisation (RTO)</li><li>• Allowing you to leave work to attend off-the-job training</li><li>• Ensuring you are appropriately and safely supervised by people with the skills and attributes to train you on-the-job</li><li>• Providing the appropriate facilities and equipment to enable you to gain the skills you require</li><li>• Work with your RTO to follow your Training Plan and ensure your skills are developed and progressed and appropriate records are kept.</li><li>• Paying you in accordance with the Award or EBA</li><li>• Protect your health and safety so far as is reasonably practicable.</li></ul>
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## YOUR HEALTH AND SAFETY

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<b>Your employer’s responsibilities</b>	<p>Employers have a duty to protect the health and safety of employees while at work – this includes both physical and mental safety.</p> <p>Employers must, so far as is reasonably practicable, provide and maintain a working environment that is safe and without risks to health. Employers must eliminate or reduce risks so far as is reasonably practicable.</p>
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<b>Your responsibilities</b>	<p>You must take reasonable care for your own health and safety and that of others who may be affected by your work.</p> <p>You must cooperate with your employer’s efforts by:</p> <ul style="list-style-type: none"><li>• following the workplace safety policies and procedures</li><li>• attending health and safety training and following the instructions and advice provided</li><li>• using equipment supplied by your employer and personal protective equipment as instructed.</li></ul> <p>You can help prevent risks to workplace health and safety by notifying the employer of any hazards.</p> <p>You must also report any workplace incident or injuries to your employer.</p>
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<b>Where to find further information about workplace safety</b>	<p><b>WorkSafe Victoria</b> is Victoria’s workplace health and safety regulator, and workplace injury insurer. WorkSafe provides a wide range of information and guidance on their website at <a href="http://www.worksafe.vic.gov.au">www.worksafe.vic.gov.au</a> or via a telephone advisory service on 1300 136 089. Anonymous reports can be made if needed.</p>
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## WHERE TO GET MORE HELP AND ADVICE

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### Apprenticeships Victoria

Apprenticeships Victoria's Apprenticeship Support Officers are located across Victoria and provide confidential and independent support and advice to apprentices, trainees and employers. They can assist in resolving workplace, training and personal issues that may impact on an apprenticeship.

[www.apprenticeships.vic.gov.au](http://www.apprenticeships.vic.gov.au) T: 1300 311 820

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### Apprenticeship Network Providers (ANP)

ANP's are contracted by the Commonwealth Department of Employment and Workplace Relations to provide free advice and support services to employers and apprentices/trainees to help them from pre-commencement to completion of the apprenticeship or traineeship. The ANP is required to personally visit employers and apprentices/trainees to assist in the completion of the Training Contract. The providers contracted to deliver services in Victoria are:

- **Apprenticeship Support Australia (ASA)**  
T: 1300 363 831
  - **MEGT (Australia) Ltd**  
T: 136 348
  - **MAS National Ltd**  
T: 1300 627 628
  - **Sarina Russo Job Access (Aust) Pty Ltd**  
T: 1300 178 776
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### Fair Work Ombudsman

The **Fair Work Ombudsman** helps both employers and workers follow the laws that make workplaces fair and equal. They have extensive information and tools available on their website about workplace entitlements and can provide advice about tackling a workplace problem. You can also lodge an online enquiry or make an anonymous report through their website.

[www.fairwork.gov.au](http://www.fairwork.gov.au) T: 13 13 94

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### Wage Inspectorate Victoria

In Victoria, deliberately and dishonestly withholding wages or other entitlements is considered wage theft and is a criminal offence.

Wage Inspectorate Victoria investigates allegations of wage theft.

[www.wageinspectorate.vic.gov.au](http://www.wageinspectorate.vic.gov.au) T: 1800 287 287

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## NEED MORE HELP?

### Use the central help desk

With many organisations playing a role in overseeing training, employment and workplace arrangements for apprentices and trainees, it can be difficult to know where to go if you need more than information and advice.

Apprenticeships Victoria provides a '*one-stop-shop*' help desk to help you navigate the system and to assist all apprentices and trainees or employers with their concerns. Confidential advice streamlined referrals and practical help is available to ensure that workers are protected and safe as they train and employers get practical support to ensure they meet their responsibilities.

T: 1300 311 820



# ESSENTIAL INFORMATION ABOUT YOUR HAIRDRESSING AND BARBERING APPRENTICESHIP



This sheet contains general information for an apprentice hairdresser or barber. The information here is designed to supplement your Training Contract – not replace it.

It contains essential information about your training arrangements, safety, wages and conditions and will help you understand your rights and responsibilities as an apprentice. You will find contacts here to get the right help early if any issues or concerns arise.

## YOUR TRAINING DETAILS

<b>Training Qualification</b>	Certificate III level including Hairdressing (SHB30416) and Barbering (SHB30516)
<b>Your work and study commitment</b>	Full-time = 38 hours per week.
<b>Max. duration of your training</b>	36 months
<b>Your probationary period</b>	90 days from the commencement date on your training contract
<b>Workplace based training hours</b>	You must be withdrawn from routine work duties for a minimum of 3 hours per week for planned training, averaged over a 4-week cycle.
<b>Your training contract</b>	<p>Your employer should arrange for your training contract to be signed within 2 weeks of the commencement of your apprenticeship.</p> <p>Both you and your employer must agree to cancel, suspend or vary your Training Contract. Protections apply to you under the law – seek advice about the implications of agreeing to any change or cancellation from your Apprenticeship Support Officer or your union.</p>
<b>Where to find more information</b>	<p>The Victorian Registration and Qualifications Authority (VRQA) is an independent agency that works to assure the quality of education and training in Victoria. The Authority regulates apprenticeships and traineeships in Victoria and makes routine visits to workplaces to ensure both parties are meeting their obligations. The VRQA can also provide advice and help to resolve disputes, as well as investigate when required.</p> <p>Contact <a href="http://www.vrqa.vic.gov.au">www.vrqa.vic.gov.au</a> or T: 1300 722 603</p>
<b>Important actions for you – check that these are now all complete</b>	<ul style="list-style-type: none"> <li>• You have been enrolled with a registered training organization within 3 months of commencing the Training Contract.</li> <li>• You have signed an agreed Training Plan with your employer and RTO.</li> <li>• You have your own copy of the Training Plan which should clearly state what training you will receive and when (both on and off-the-job).</li> <li>• You know that you can progress through your apprenticeship at a rate that reflects your skills development rather than to a specific timeframe.</li> </ul>
<b>Pay Tool</b>	Use the interactive <b>Pay and Conditions Tool</b> available at <a href="http://www.calculate.fairwork.gov.au">www.calculate.fairwork.gov.au</a> if your circumstances are different to those covered here (such as other trades or non-residential construction). To find out more call the <b>Fair Work Ombudsman</b> on 13 13 94.

## WAGES AND CONDITIONS

<b>Your Award</b>	<b>Hair and Beauty Industry Award [MA000005]</b>					
	If your employer has a registered agreement for your workplace covering you, then different rates will apply. The information below only relates to the Award.					
<b>Important information about time in training</b>	<p>An employee can only be paid apprentice pay rates if they have a formal training contract with their employer. The training must be registered and recognised by the VRQA. Time worked prior to sign-up will not count as part of your apprenticeship period. There are 2 ways an apprentice can move to the next level of an apprenticeship:</p> <ul style="list-style-type: none"> <li>• time-based – the apprentice moves up to the next pay level after they've worked a certain amount of time (for example, 12 months)</li> <li>• competency-based – the apprentice moves to the next pay level when they've achieved a set amount of the total skill or training requirements of the apprenticeship (which might be earlier than 12 months).</li> </ul>					
<b>Pay rates</b>	<p>The table below provides limited pay information for an apprentice hairdresser or barber (not beauty therapy or beauty services as these are traineeships) who started their training after 1 Jan 2014.</p> <p>Note that not all rates are included below and more detail can be found in the <a href="#">Building and Construction General On-site Award 2020</a>.</p>					
<b>Classification</b>	<b>1st year</b> – did NOT complete year 12	<b>1st year</b> – completed year 12	<b>2nd year</b> – did NOT complete year 12	<b>2nd year</b> – completed year 12	<b>3rd year</b>	<b>Adult Apprentice</b> (≥21 yrs. old at commencement)
<b>Weekly pay rate</b>	\$497.50	\$547.25	\$597.00	\$646.75	\$766.15	1st Yr – \$796.00 2nd & 3rd Yr – \$939.60
<b>Hourly pay rate</b>	\$13.09	\$14.40	\$15.71	\$17.02	\$20.16	1st Yr – \$20.94 2nd & 3rd Yr – \$24.73
<b>Saturday between 7am – 6pm</b>	\$17.41	\$19.15	\$20.89	\$22.64	\$26.81	1st Yr – \$27.85 2nd & 3rd Yr – \$32.89
<b>Sunday</b>	\$26.18	\$28.80	\$31.42	\$34.04	\$40.32	1st Yr – \$41.88 2nd & 3rd Yr – \$49.46
<b>Public Holidays</b>	\$32.73	\$36.00	\$39.28	\$42.55	\$50.40	1st Yr – \$52.35 2nd & 3rd Yr – \$61.83
<b>Overtime – first 3 hours</b>	\$19.64	\$21.60	\$23.57	\$25.53	\$30.24	1st Yr – \$31.41 2nd & 3rd Yr – \$37.10
<b>Overtime – after 3 hours or working on RDO</b>	\$26.18	\$48.80	\$31.42	\$34.04	\$40.32	1st Yr – \$41.88 2nd & 3rd Yr – \$49.46
<b>Allowances which may be payable by your employer</b>	<p>Training fees and textbooks for your prescribed course where you have made satisfactory progress must be paid by your employer. You may also be eligible for reimbursement for electrical equipment.</p> <p>If you are required to supply your own tools. There is an allowance provided of \$10.29 per week.</p> <p>Apprentices may be entitled to a range of other allowances for transport for working before 7am or after 10pm or away from the usual workplace, meals when overtime is worked and reimbursement for the cost of protective clothing.</p>					
<b>Where to find more information</b>	<p>In the first instance, speak to your employer about any pay queries.</p> <p>You can also check the Award for updates and more detailed information at <a href="http://www.fairwork.gov.au/employment-conditions/awards/list-of-awards">www.fairwork.gov.au/employment-conditions/awards/list-of-awards</a></p> <p>Unions represent employees in the workplace and can provide their members with individual advice and support. The Australian Workers Union is the union which represents hairdressing workers (T:1300 362 298) or you also contact the Young Workers Centre which provides advice and support about your rights at work for those under 30 years at <a href="http://www.youngworkers.org.au">www.youngworkers.org.au</a> or T: 1800 714 754.</p>					

## TRAINING RESPONSIBILITIES

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<b>Apprenticeship Network Providers (ANP)</b>	<p>ANP's are contracted by the Commonwealth Department of Employment and Workplace Relations to provide free advice and support services to employers and apprentices/trainees to help them from pre-commencement to completion of the apprenticeship or traineeship. The ANP is required to personally visit employers and apprentices/trainees to assist in the completion of the Training Contract. The providers contracted to deliver services in Victoria are:</p> <ul style="list-style-type: none"><li>• <b>Apprenticeship Support Australia (ASA)</b> T: 1300 363 831</li><li>• <b>MEGT (Australia) Ltd</b> T: 136 348</li><li>• <b>MAS National Ltd</b> T: 1300 627 628</li><li>• <b>Sarina Russo Job Access (Aust) Pty Ltd</b> T: 1300 178 776</li></ul>
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