



national  
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association

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# Member feedback template: *Review of Apprenticeships and Traineeships in New South Wales*



## Contents

|   |    |
|---|----|
| Providing flexibility in training arrangements .....          | 3  |
| Alternative models for apprenticeships and traineeships ..... | 4  |
| Establishing apprenticeships and traineeships.....            | 5  |
| Training contracts are binding .....                          | 6  |
| Roles and responsibilities.....                               | 7  |
| The development of a training plan .....                      | 8  |
| Cancellation of apprenticeships and traineeships .....        | 9  |
| Certification .....   | 10 |
| Registration of group training organisations .....            | 11 |
| Dealing with disputes, complaints and appeals.....            | 12 |
| Sanctions .....   | 13 |
| Trade Recognition .....                                       | 14 |
| The Regulation.....   | 15 |
| General comments .....  | 16 |

## Providing flexibility in training arrangements

1. Are Vocational Training Orders still required to determine which qualifications should provide apprenticeship or traineeship pathways?

Please insert your feedback here...

2. Do Vocational Training Orders restrict innovation in apprenticeships and traineeships or are there other employment and training models that should be available as apprenticeships and traineeships?

Please insert your feedback here...

3. How can we increase flexibility to meet employer and apprentice/trainee needs?

Please insert your feedback here...

4. Do Vocational Training Orders adequately support competency based progression and completion of apprenticeships and traineeships?

Please insert your feedback here...

5. Are there any other ways that the Act or the Department's policies and procedures could better facilitate flexibility in apprenticeship and traineeship arrangements?

Please insert your feedback here...

## Alternative models for apprenticeships and traineeships

6. What alternate models for apprenticeships and traineeships could be considered by NSW?

Please insert your feedback here...

7. Are there international apprenticeship models that are applicable to NSW?

Please insert your feedback here...

8. Is there an opportunity to increase flexibility to meet employer, apprentice and trainee needs?

Please insert your feedback here...

## Establishing apprenticeships and traineeships

9. Is the current apprenticeship model of an integrated program of paid work, on the job training and attainment of the relevant qualification still relevant?

[Please insert your feedback here...](#)

10. Does the Act or do the Department's policies and procedures create any barriers or impediments for the organisations, bodies and individuals involved in the establishment of apprenticeships and traineeships?

[Please insert your feedback here...](#)

11. Should casual employees be able to enter into training contracts for an apprenticeship or traineeship?

[Please insert your feedback here...](#)

12. Should independent contractors be able to undertake an apprenticeship if they were able to nominate an independent qualified person as their supervisor?

[Please insert your feedback here...](#)

13. Are there measures that could be taken to simplify the current process of establishing apprenticeships or traineeships?

[Please insert your feedback here...](#)

14. Is there a need for the Act to deal with the roles and responsibilities of a third party acting on the employer's behalf in relation to the establishment of apprenticeship or traineeship arrangements?

[Please insert your feedback here...](#)

15. Should the definition of 'junior' be changed to persons less than 18 years of age?

[Please insert your feedback here...](#)

## Training contracts are binding

16. Is it appropriate to maintain the classification of trainee apprentice?

Please insert your feedback here...

17. Should the binding clause only apply while the employment relationship is in place?

Please insert your feedback here...

18. From an industrial perspective, can an apprenticeship exist without employment?

Please insert your feedback here...

## Roles and responsibilities

19. Is the Act or the Department's policies and procedures regarding the roles and responsibilities of the parties too prescriptive?

[Please insert your feedback here...](#)

20. Are the roles, responsibilities and obligations of all organisations, bodies and individuals who are routinely involved in influencing apprenticeship and traineeship commencements and completions covered adequately?

[Please insert your feedback here...](#)

21. Are there any terms or references, which routinely influence apprenticeship and traineeship commencements/completions, not adequately accommodated for in the Act?

[Please insert your feedback here...](#)

22. Should there be any distinction between the hosting arrangements for Group Training Organisations and other employers?

[Please insert your feedback here...](#)

23. Does the Act or the Department's policies and procedures adequately deal with the role of a registered training organisation and their responsibilities in supporting the conduct of an apprenticeship or traineeship in a manner that meets the needs of the learner and the employer?

[Please insert your feedback here...](#)

## The development of a training plan

24. Does the Act or do the Department's policies and procedures create any barriers or impediments for the organisations, bodies and individuals involved in the development and use of the Training Plan?

Please insert your feedback here...

25. Does the Act adequately deal with the roles, responsibilities and obligations of the registered training organisation, concerning the development of a Training Plan consistent with the National Training Plan Template?

Please insert your feedback here...

26. Should the Act identify the roles, responsibilities and obligations for registered training organisations to support the employer, apprentice/trainee in the apprenticeship or traineeship system or is the current policy sufficient?

Please insert your feedback here...



## Cancellation of apprenticeships and traineeships

27. Are there any circumstances where it is appropriate for the Commissioner for Vocational Training to instigate the cessation of an apprenticeship or traineeship training contract, subject to the affected parties being given an opportunity to:

- Make representations to the contrary if they so choose?
- Show cause why the training contract should not cease?

[Please insert your feedback here...](#)

28. Are there other methods of cancelling and re-establishing training contracts that the Department should consider?

[Please insert your feedback here...](#)

## Certification

29. Should the issue of Craft Certificates and Completion Certificates be discontinued and only the Certificate of Proficiency be issued upon successful completion of the on the job training and the qualification?

[Please insert your feedback here...](#)

30. Does the granting of a Craft Certificate assist/benefit individuals in gaining relevant skilled/trade employment?

[Please insert your feedback here...](#)

31. Does the granting of a Craft Certificate assist/benefit employers in determining an individual's suitability for skilled/trade employment?

[Please insert your feedback here...](#)

## Registration of group training organisations

32. Should the Act continue to provide for the registration of group training organisations?

[Please insert your feedback here...](#)

33. Are there any other measures required in the Act or through Departmental policies and procedures to deal with the legal employer as identified on the training contract who relies solely on host employers or worksites outside of their management control, to meet their employer obligations, such as:

- Labour hire companies
- Employers that operate as if they are labour hire companies
- A group of employers who share the responsibilities for on the job training?

[Please insert your feedback here...](#)

## Dealing with disputes, complaints and appeals

34. Can decisions made under delegation by Training Officers be reviewed internally without the need for a Review Panel?

[Please insert your feedback here...](#)

35. With the introduction of the NSW Civil and Administrative Tribunal does the VTRP remain the most appropriate body for resolution of complaints?

[Please insert your feedback here...](#)

36. Should the Act include provision for a complaint to be made against a person or body, other than an employer or apprentice/trainee:

- Where their actions have put the successful completion of an apprenticeship/traineeship in jeopardy?
- Where they have failed to comply with the Act?

[Please insert your feedback here...](#)

37. Are there particular situations, roles, responsibilities not adequately dealt with under Act's existing arrangements for dealing with complaints or disputes?

[Please insert your feedback here...](#)

38. Should the Act include provision for the resolution of dispute/complaints resulting from a registered training organisations failing to meet their obligations under an apprenticeship/traineeship training plan?

[Please insert your feedback here...](#)

## Sanctions

39. Are there alternative sanctions that should be applied under the Act or through Departmental policies and procedures?

[Please insert your feedback here...](#)

40. Are there particular responsibilities, obligations and actions that routinely influence apprenticeship and traineeship commencements/completions that should be identified for inclusion for management under a sanctions regime under the Act?

[Please insert your feedback here...](#)

41. Should the sanctions regime in the Act establish different categories of seriousness with appropriate sanctions to match, such as:

- Prohibition
- Suspension/limitation
- Monetary fines or financial restitution
- Other?

[Please insert your feedback here...](#)

## Trade Recognition

42. Should the Act continue to have a mechanism to enable an individual to apply for trade skills recognition or should trade skills recognition be undertaken through Departmental policies and procedures?

Please insert your feedback here...

43. What is the benefit to individuals or employers of granting of a Craft Certificate?

Please insert your feedback here...

44. Does the provision for trade skills recognition provide individuals, industry and employers with a worthwhile alternative to the apprenticeship system as a means to gaining a trade qualification?

Please insert your feedback here...

## The Regulation

45. Are there matters in the Regulation that should be contained in the Act?

[Please insert your feedback here...](#)

46. Are there additional matters that should be included in the Regulation?

[Please insert your feedback here...](#)

47. Are there matters in the Regulation that should not be regulated?

[Please insert your feedback here...](#)

## General comments

Please insert your feedback here...