

Apprenticeships Policy

School-aged Learners

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1 Purpose

The purpose of this policy is to provide guidance on the Department for Education, Children and Young People's (DECYP) approach to the delivery of apprenticeships and traineeships to school-aged learners from Tasmanian government schools and colleges.

This policy is written with the understanding that all children and young people have the right to be known, safe, well and learning. This approach is built upon the commitments and standards outlined in the Child and Youth Safe Organisations Framework.

This commitment extends to keeping young people safe when they take part in an apprenticeship.

2 Policy Statement

This policy outlines the approach to delivering apprenticeships to school-aged learners in DECYP schools. It provides guidance to schools and principals on facilitating apprenticeships for these learners by defining the necessary requirements, responsibilities, and procedures.

Apprenticeships and traineeships offer a learning pathway that combines paid employment with on-the-job training under a formal training contract. This arrangement allows apprentices and trainees to work towards a nationally recognised qualification while earning an income.

A formal training contract is a legal agreement between an employer and an apprentice or trainee, outlining the terms of employment and training.

Apprenticeships and traineeships can be undertaken in various modes:

- Full-time.
- Part-time.
- School-based apprenticeship/traineeship.

According to the Australian Department of Education (2017):

- A traineeship is typically a 12–24-month employment-based training arrangement, either full-time or part-time, usually in a non-trade related area.
- An apprenticeship generally lasts three to four years and is typically in a trade-related area.

For the purposes of this policy, apprenticeships and traineeships are treated equivalently, despite some industrial relation differences for certain qualifications. Detailed information on the distinctions between apprentices and trainees can be found on the [Fair Work Ombudsman website](#).

This policy ensures that school-aged learners in DECYP schools have clear guidance and support to successfully undertake apprenticeships and traineeships, aligning with national standards and legal requirements.

2.1 Scope

This policy document is for education providers and education authorities where they are supervising, or responsible for, school-aged learners undertaking apprenticeships or traineeships.

This policy document addresses the delivery of apprenticeships and traineeships for Tasmanian school-aged learners, including:

- Australian School-based Apprenticeships/Traineeships (ASbAs).
- Full-time Apprenticeships and Traineeships.
- Part-time Apprenticeships and Traineeships.

DECYP considers full-time apprenticeships and traineeships, under the *Education Act 2016*, as an appropriate course of training through the 'Approved Learning Program' (ALP). The endorsement of a School Endorsement Form (SEF) relinquishes the duty of care to the employer, under the terms of the training contract. This data is collated on the Youth Participation Database (YPD).

ASbAs allow young people to commence employment-based training while still completing their education. In many cases, the learner will continue post year 12 into a full-time or part-time arrangement to allow them to complete the apprenticeship/traineeship component of the ASbA training contract.

Full-time apprenticeships and traineeships are full-time employment and training arrangements that offer the young person the opportunity to study and earn an income while undertaking a formal, nationally recognised qualification. This policy recognises that full-time apprenticeships and traineeships have additional requirements and criteria that must be met for all school-aged learners. Full-time apprenticeships and traineeships are considered an ALP.

Part-time apprenticeships and traineeships are a part-time employment and training arrangement that has additional requirements and criteria that must be met for all school-aged learners. A part-time training contract is not the preferred option for school-aged learners. Part-time training contracts should only be available to school-aged learners under extenuating circumstances and with the support of the school and/or Education Authority delegate.

This policy does not specify requirements and guidelines for employers or Registered Training Organisations (RTOs) but does consider the roles and responsibilities of all stakeholders in the apprenticeship process.

This policy **does not** apply to:

- Vocational Education and Training (VET) in Schools' programs.
- Work-based Learning (e.g. work experience, work placements, work exposure).
- Employment arrangements separate from an apprenticeship or traineeship (e.g. part-time jobs outside school hours).

3 Related policies

- [Attendance Policy](#)
- [Duty of Care to Children and Young People](#)
- [Partnering with External Organisations - Policy](#)
- [Personal Information Protection Policy](#)
- [Registration to Work with Vulnerable People Policy](#)
- [Risk Management Policy](#)
- [Student Engagement Policy](#)
- [Tasmanian Traineeship and Apprenticeship Committee Policies and Guidelines](#)

- [Trade Training and Trade Skills Centre Policy](#)
- [Year 10 into Year 11 Transition Planning Policy](#)
- [Youth Participation Database Policy](#)

4 Related procedures

- [Learning Plan Procedure](#)
- [Conflict of Interest Procedure](#)
- [Specific Health Issues Procedures, Information and Contacts](#)
- [Student-Engagement-Procedures](#)
- [Transition-Plan-procedure-Years-9-12](#)

5 Supporting information/tools

- [Vocational Learning in Tasmanian Schools Framework](#)
- [Approved Learning Program](#)
- [Conduct and Behaviour Standards](#)
- [National Code of Good Practice for Australian Apprenticeships](#)
- [Office of Tasmanian Assessments, Standards and Certification \(TASC\)](#)
- [Pastoral Care Form](#)
- [Risk Management Plan Template](#)
- [Safeguarding Framework](#)
- [Senior Secondary \(Yr 9-12\) Curriculum Framework](#)
- [TASC TCE Course Planner](#)

6 Definitions

Aboriginal

A student of Aboriginal and/or Torres Strait Islander descent who identify themselves as an Aboriginal and/or Torres Strait Islander.

Apprentice Connect Australia Provider (ACAP)

A stakeholder involved in the initial stages of an apprenticeship. They connect apprentices and trainees with employers and support them throughout their apprenticeship.

Approved Learning Program

Under the Education Act 2016 means an ‘appropriate course of education or training’ delivered by a provider in accordance with the specified program and which represents a full-time program load – or a combination of learning program options that add up to the equivalent of a full-time program load – at a school/college, university, RTO or with an employer.

Australian School-based Apprenticeship (ASbA)

A collective term used in this policy referring to a school-based apprenticeship or traineeship. A school-based apprenticeship is a paid employment-based training program for full time school students who are in a minimum of Year 9 at the commencement of the school year. A school-based apprenticeship must be undertaken in accordance with the requirements of the Tasmanian Traineeship and Apprenticeships Committee Policy 2 – “School-Based Traineeships and Apprenticeships”.

Child and Youth Safe Organisations Framework

The Framework aims to protect and promote the best interests of children and young people. It introduces ten [Child and Youth Safe Standards](#) and the [Universal Principle for Aboriginal Cultural Safety](#), which organisations such as DECYP must put into practice when they engage with children and young people. The Framework also introduces the Reportable Conduct Scheme which requires organisations, who must comply with the Act, to report and investigate concerns related to child abuse involving a worker to an independent regulator.

Disability

Has the same meaning as described in the Disability Discrimination Act 1992 (Cth) which is:

- a) Total or partial loss of the person’s bodily or mental functions; or
- b) Total or partial loss of a part of the body; or
- c) The presence in the body of organisms causing disease or illness; or
- d) The presence in the body of organisms capable of causing disease or illness; or
- e) The malfunction, malformation, or disfigurement of part of the person’s body; or
- f) A disorder or malfunction that results in the persons learning differently from a person without the disorder or malfunction; or
- g) A disorder, illness, or disease that affects a person’s thought processes, perception or reality, emotions or judgement or that results in disturbed behaviour; and includes a disability that:
 - i. Presently exists; or
 - ii. Previously existed but no longer exists; or
 - iii. May exist in the future (including because of a genetic predisposition to that disability); or
 - iv. Is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

Duty of care

Means a duty imposed by law to take reasonable care to minimise the risk of foreseeable harm to another person. Duty of care arises whenever the student and teacher/staff member can properly be said to be in a teacher/staff member-student relationship.

Exemption

Applications for a formal exemption from participation in an ALP can be initiated by the parent or guardian of a youth, or a youth who lives independently from their parents. Ministerial Instruction No.10 outlines the circumstances for consideration of an application for exemption.

Group Training Organisation (GTO)

A service that connects learners with host employers. They employ apprentices and trainees, place them with a host business and manage the HR, administrative, training requirements, payroll and wages.

Industry expert

An adult or organisation who/which shares their knowledge and experience with students as part of a WBL activity

Parent (Carer)

Under the *Education Act 2016* (Tas), a parent or carer is:

- a) a legal guardian of a child; and
- b) another person who has the care, control, or custody of a child; and
- c) another person who generally acts in the place of a parent of a child and has done so for a significant length of time.

Risk

The level of risk is determined by the likelihood of an event occurring and the harmful consequence (death, injury or illness) arising if the event/risk occurs.

Student

Under the *Education Act 2016* (Tas) a student is a child, youth or person:

- a) enrolled at a school; or
- b) provided with home education; or
- c) participating in an approved learning program.

RTO

Registered Training Organisations (RTOs) deliver nationally recognised training in the VET sector.

Safeguarding Framework

The Framework describes the department's approach to safeguarding children and young people from abuse, with particular emphasis on child sexual abuse.

School Endorsement Form (SEF)

A document endorsed by the principal to allow a student to participate in an ALP for training contract registration for all school-based training contracts and for school aged learners (under 18) entering a part-time or full-time training contract.

Tasmanian Traineeships and Apprenticeships Committee (TTAC)

A statutory committee established under and governed by the *Training and Workforce Development Act 2013* (the Act). The objective of the TTAC is to ensure that Tasmania has effective and accessible systems and procedures for training contracts and vocational placements.

Training Contract

A legally binding agreement between an apprentice or trainee, their employer, and an RTO. It outlines the obligations and responsibilities of each party during the apprenticeship or traineeship period.

Youth Participation Database (YPD)

The online system supporting the implementation of the *Education Act 2016* regarding leaving age requirements. YPD records enrolment information of all Tasmanian Students in Years 10 to 12 or equivalent.

7 Legislation

- [Disability Services and Inclusion Act 2023 \(Cth\)](#) aims to enhance *the rights and inclusion of people with disabilities by ensuring equal access to services and opportunities across Australia*.
- [Fair Work Act 2009 \(Cth\)](#) establishes the legal framework for workplace relations in Australia, including employment conditions, rights, and obligations for both employers and employees.
- [Child and Youth Safe Organisations Act 2023 \(Tas\)](#) is a Tasmanian law aimed at ensuring the safety and wellbeing of young people.
- [Children, Young Persons and Their Families Act 1997 \(Tas\)](#) is designed to provide for the care and protection of children and young people in Tasmania.
- [Disability Discrimination Act 1992 \(Cth\)](#) aims to eliminate discrimination against individuals with disabilities in various areas, including education.
- [Disability Standards for Education 2005 \(Cth\)](#) are designed to ensure that learners with disabilities have the same rights to access and participate in education as other learners.
- [The Office of Tasmanian Assessment, Standards and Certification Act 2003 \(Tas\)](#) establishes the framework for the assessment and certification of learner achievements in Tasmania.
- [Ministerial Instruction No 11](#) - specifies the circumstances in which a parent of a youth or an independent youth may apply to attend an Approved Learning program on a part-time basis.
- [Personal Information Protection Act 2004 \(Tas\)](#) regulates the collection, maintenance, use, correction, and disclosure of personal information relating to individuals in Tasmania.
- [Privacy Act 1988 \(Cth\)](#) is a key piece of Australian legislation that governs the handling of personal information by government agencies and private organisations.
- [Registration to Work with Vulnerable People Act 2013 \(Tas\)](#) ensures the safety and wellbeing of children and young people in our schools and other premises.
- [Sex Discrimination Act 1984 \(Cth\)](#) ensures that all learners are treated equally, regardless of their sex, marital status, pregnancy, or family responsibilities.

- [Federal Register of Legislation - Fair Work Act 2009](#).
- The [Tasmanian Education Act 2016 \(Tas\)](#) is a comprehensive piece of legislation that governs the provision and regulation of education in Tasmania. It includes provisions that support vocational education and training (VET) courses.
- [Training and Workforce Development Act 2013 \(Tas\)](#) is a piece of legislation in Tasmania that aims to establish a comprehensive system for training and workforce development.
- [Work Health and Safety Act 2012 \(Tas\)](#) aims to secure the health, safety, and welfare of people at work by providing a balanced and nationally consistent framework.
- [Work Health and Safety Regulations 2012 \(Tas\)](#) These regulations outline various requirements and duties related to workplace health and safety.

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