

Years 9-12 Project

The Delivery of Apprenticeships and Traineeships to School-aged Learners

Requirements and Guidelines



Introduction

This document is a product of the Vocational Learning in Tasmanian Schools Framework, developed under the Years 9-12 Project, a cross-sectoral initiative to improve the education and training opportunities for students in Tasmania.

Apprenticeships and traineeships are a learning pathway that combine paid employment and on-the-job training under a formal training contract. An apprentice or trainee has the opportunity to combine employment with training, working toward a nationally recognised qualification, whilst also earning money.

A training contract is a legal agreement between an employer and an apprentice or trainee.

The employment arrangement determines which type of training contract the school-aged learner enters into for their apprenticeship or traineeship.

Apprenticeships and traineeships can be undertaken full-time, part-time or as a School-based apprenticeship/traineeship.

In Australia, the difference between a traineeship and an apprenticeship is that a traineeship can be either a full-time or part-time employment-based training arrangement, usually for around 12 months (apprenticeships usually last for three to four years), and is generally in a non-trade related area (Australian Department of Education, 2017).

There are some other distinctions between apprentices and trainees (mostly qualification and industry type), however, **for the purposes of this document, there is no difference between apprentices and trainees.** More information on the distinction between apprentices and trainees can be found on the [Fair Work Ombudsman website](#).

Note: Knowledge of these requirements and guidelines does not replace the need for ongoing learning and knowledge of relevant policy and legislation. This document is for education providers and education authorities. It does not specify requirements and guidelines for employers or RTOs*. A school and/or Education Authority may also stipulate requirements relating to training contracts for school-aged learners.



Scope

This document is for education providers and education authorities. It **does not** specify requirements and guidelines for employers or RTOs*.

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

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

Australian School-based Apprenticeships or Traineeships (ASbAs) allow young people to commence employment-based training while still completing year 10, 11 and 12 of 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.

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 recommended option for school aged learners participating in secondary education. Part-time training contracts are only available to school-aged learners under extenuating circumstances and with the support of the school and/or Education Authority.

Full-time Apprenticeships and Traineeships are a full time employment and training arrangement that has additional requirements and criteria that must be met for all school-aged learners.

This document **does not apply** to:

- VET in schools programs
- Work-based Learning (eg work experience, work placements, work exposure)*
- Employment arrangements separate from an apprenticeship or traineeship

* See also DRAFT Requirements and Guidelines for Career Education, Work-based Learning and VET delivered to school students.

Tasmanian Traineeships and Apprenticeships Committee (TTAC)

This document is intended to complement the most up-to-date [Tasmanian Traineeships and Apprenticeships Committee \(TTAC\) Policies and Guidelines](#)** . The TTAC is a statutory committee established under and governed by the Training and Workforce Development Act 2013 (the Act).

The TTAC issues guidelines and procedures for the operation of vocational placements and training

contracts, and provides advice to the Minister on these matters. The committee may conciliate or arbitrate disputes arising from the terms, conditions and operation of training contracts and vocational placements, in accordance with section 52 of the Act.

The TTAC's clients are:

- employers
- apprentices and trainees
- registered training organisations

* Requirements and guidelines for RTOs and employers are covered under the *TTAC Policies and Guidelines*.

** *The TTAC Policies and Guidelines* are subject to periodical review and changes by the TTAC.

Purpose

The purpose of this document is to ensure that principals, schools, school authorities and facilitators have a clear understanding of the requirements, responsibilities and procedures associated with apprenticeships and traineeships for Tasmanian school students. This document also creates a shared understanding of the intent of apprenticeships and traineeships and the outcomes for school-aged learners. It supports Priority Three in the [Vocational Learning in Tasmanians Schools Framework](#) – increasing access to quality vocational learning for all Tasmanian schools students, including students with disability, those in remote and regional areas, those who identify as Aboriginal or Torres Strait Islander, those who experience social and economic disadvantage and those from Culturally and Linguistically Diverse (CALD) communities.

Roles, Requirements and Responsibilities

Meaning of “**must**”, “**should**” and “**may**”:

- a. The word “**must**” is to be construed as being legislated and/or mandatory for safety reasons.
- b. The word “**should**” is to be construed as being directory.
- c. The word “**may**” is to be construed as being discretionary or enabling, as the context requires.

This section is separated into:

- roles, requirements and responsibilities for **all** apprenticeships and traineeships for school-aged learners; and
- **additional** roles, requirements and responsibilities for:
 - » school-based apprenticeships and traineeships
 - » part-time apprenticeships and traineeships; and
 - » full-time apprenticeships and traineeships.

Common Requirements and Responsibilities for ALL Apprenticeships and Traineeships for School-aged Learners

	Must	Should
Schools	<ul style="list-style-type: none"> follow the endorsement/non-endorsement process in-line with the <i>TTAC Policies and Guidelines</i>. be aware of any obligations or responsibilities they possess under the <u>Tasmanian Traineeships and Apprenticeships Committee (TTAC) Policies and Guidelines</u>. be aware of any obligations or responsibilities they possess under the <i>Education Act 2016</i> and <i>Training and Workforce Development Act 2013</i>. observe all privacy requirements, in line with relevant legislation and policy, at all times. 	<ul style="list-style-type: none"> ensure that application of this document does not conflict with relevant school or sector policies. ensure apprenticeships and traineeships are valued by school leadership as meaningful and legitimate individual education programs/approved learning programs. ensure that application of this document does not conflict with relevant school or sector policies. undertake regular professional learning relevant to the scope of their role. Should consult with the Years 9 to 12 Learning ApTSL team for advice and support.
Principals	<ul style="list-style-type: none"> understand that a training contract signed by a student is a legally binding agreement and that there are implications for the student for any potential breach follow the endorsement/non-endorsement process in-line with the <i>TTAC Policies and Guidelines</i>. ensure the apprenticeship/traineeship meets the requirements of the <i>Education Act 2016</i>. observe all privacy requirements, in line with relevant legislation and policy, at all times. follow the endorsement/non-endorsement process in-line with the <i>TTAC Policies and Guidelines</i>. ensure the School Facilitator coordinates an annual documented review (covered under <i>TTAC Policies and Guidelines</i>) of the employment, training and schooling arrangements of the ASbA to ensure arrangements remain in the interests of the school-aged learner and the learner is meeting their requirements. ensure the contract has been registered with Skills Tasmania/TTAC. 	<ul style="list-style-type: none"> ensure apprenticeships and traineeships are valued by school leadership as meaningful and legitimate individual education programs/approved learning programs. understand the nature of apprenticeships and traineeships and how they contribute to an education, training and employment pathway. consider their staff capacity to understand and navigate the apprenticeship and traineeship system within their school's workforce planning processes. appoint a staff member to the role of Apprenticeships and Traineeships facilitator. ensure Apprenticeships and Traineeships facilitators receive sufficient and specific allocated time within the school timetable to perform their role. ensure Apprenticeships and Traineeships facilitators undertake regular professional learning and development. ensure Apprenticeships and Traineeships facilitators are reimbursed for any relevant costs incurred in performing their role. ensure Apprenticeships and Traineeships facilitators are supported for any off-site activity/meeting/event through the use of a department/school vehicle or other supported transport arrangements, eg taxi vouchers or travel reimbursement. ensure Apprenticeships and Traineeships facilitators are connected with the Years 9 to 12 Learning ApTSL team.
School Facilitators	<ul style="list-style-type: none"> understand that the training contract signed by the student is a legally binding agreement and that there are implications for the student for any potential breach. observe all privacy requirements, in line with relevant legislation and policy, at all times. 	<ul style="list-style-type: none"> undertake regular professional learning relevant to the scope of their role. consult with the Years 9 to 12 Learning ApTSL team for advice and support. understand the nature of apprenticeships and traineeships and how they contribute to an education, training and employment pathway.

	Must	Should
Years 9 to 12 Learning ApTSL team	<ul style="list-style-type: none"> • ensure the apprenticeship/traineeship meets the requirements of the <i>Education Act 2016</i> and the <i>Training and Workforce Development Act 2013</i>. • manage the endorsement process for school-aged learners in Government schools. • observe all privacy requirements, in line with all relevant legislation and policy, at all times. 	<ul style="list-style-type: none"> • provide support and guidance to schools where required, including where the facilitator is new to the role and requires information. • provide triage assistance to DoE school ApTSL facilitators where required. • consult and collaborate with Skills Tasmania to ensure any system issues are raised and addressed promptly. • consult regularly with Apprenticeship Network Providers, where appropriate, to ensure any issues are raised and addressed promptly. • consult regularly with any third-party organisations coordinating or helping facilitate apprenticeships or traineeships for students, to ensure those organisations are supported and that any issues are raised and addressed promptly. • provide professional learning to school facilitators relevant to the scope and nature of their role.
School Boards, School Authorities and Governance Bodies (Government and Non-government Schools)	<ul style="list-style-type: none"> • be aware of any obligations or responsibilities they possess under the <i>Education Act 2016</i> and <i>Training and Workforce Development Act 2013</i>. 	<ul style="list-style-type: none"> • ensure apprenticeships and traineeships are valued by school leadership as meaningful and legitimate individual education programs/approved learning programs. • have an understanding of the legislative authoring environment that apprenticeships and traineeships operate within.
Secretary, Department of Education (DoE)	<ul style="list-style-type: none"> • be aware of any obligations or responsibilities they possess under the <i>Education Act 2016</i> and <i>Training and Workforce Development Act 2013</i>. • be aware of any Ministerial Instructions, issued under the <i>Education Act 2016</i>, relating to apprenticeships and traineeships for school-aged learners. • ensure providers of apprenticeships and traineeships as part of year 10 schooling or a year 11 and 12 approved learning program are aware of their obligations under the <i>Education Act 2016</i> and the <i>Training and Workforce Development Act 2013</i>. 	<ul style="list-style-type: none"> • ensure apprenticeships and traineeships are valued by sector leadership as meaningful and legitimate individual education programs/approved learning programs. • have an understanding of the legislative authoring environment that apprenticeships and traineeships operate within.

Additional Requirements and Responsibilities for each type of Apprenticeship and Traineeship for School-aged Learners

Schools					
Australian School-based Apprenticeships/Traineeships		Part-time Apprenticeships/Traineeships		Full-time Apprenticeships/Traineeships	
Must	Should	Must	Should	Must	Should
	<ul style="list-style-type: none"> ensure all teaching staff are aware of which students are undertaking an ASbA. ensure students undertaking an ASbA are supported to remain engaged with their school community. 	<ul style="list-style-type: none"> ensure school-aged learner has been granted approval to undertake a part time Approved Learning Program (ALP) apprenticeship or traineeship in accordance with the Education Act 2016 and with TTAC policy and guidelines (Policy 2). ensure the school-aged learner is supported to reengage with the school community or is transitioned to another Approved Learning Program if the training contract is terminated. 		<ul style="list-style-type: none"> ensure full-time apprenticeships and traineeships meet the requirements of the Education Act 2016 ensure the school-aged learner is supported to reengage with the school community or is transitioned to another Approved Learning Program if the training contract is terminated. 	

Principals					
Australian School-based Apprenticeships/Traineeships		Part-time Apprenticeships/Traineeships		Full-time Apprenticeships/Traineeships	
Must	Should	Must	Should	Must	Should
<ul style="list-style-type: none"> endorse/not endorse the TTAC school-aged learner endorsement form. ensure any changes that impact on the learner's training, schooling or employment are documented and made available to TTAC on request. 	<ul style="list-style-type: none"> ensure students undertaking an apprenticeship or traineeship are supported to remain engaged with their school community. ensure the School Facilitator provides timetabling flexibility for students undertaking apprenticeships or traineeships. 	<ul style="list-style-type: none"> endorse/not endorse the TTAC school-aged learner endorsement form. ensure part-time attendance is approved. ensure the contract is registered with Skills Tasmania/TTAC before school enrolment is closed. ensure the school-aged learner is supported to reengage with the school community or is transitioned to another Approved Learning Program if the training contract is terminated. 		<ul style="list-style-type: none"> ensure the contract is registered with Skills Tasmania/TTAC before school enrolment is closed. understand the minimum leaving requirements under the Education Act 2016 (see section on minimum leaving requirements, page 9). ensure the school-aged learner is supported to reengage with the school community or is transitioned to another Approved Learning Program if the training contract is terminated. 	

Additional Requirements and Responsibilities for each type of Apprenticeship and Traineeship for School-aged Learners

School Facilitators

School Facilitators					
Australian School-based Apprenticeships/Traineeships		Part-time Apprenticeships/Traineeships		Full-time Apprenticeships/Traineeships	
Must	Should	Must	Should	Must	Should
<ul style="list-style-type: none"> • ensure an annual documented review (covered under TTAC policies and guidelines) of the employment, training and schooling arrangements of the ASbA to ensure arrangements remain in the interests of the school-aged learner and the learner is meeting their requirements. 	<ul style="list-style-type: none"> • ensure students undertaking an apprenticeship or traineeship are aware of their school requirements, including attendance, participation and engagement. • ensure students are attending school when they are timetabled to do so. • ensure timetabling flexibility for students undertaking apprenticeships or traineeships. • have a copy the student's apprenticeship/traineeship training plan. • be aware of RTO's reporting requirements and timeframes, including reporting to TASC. • work closely with the Apprenticeship Network Provider in the setup stages of the student's apprenticeship or traineeship, where appropriate. • ensure regular (minimum of once per school term) and documented pastoral care meetings with the students to review training plans, discuss the apprenticeship or traineeship and any issues that the student may have in balancing their employment or training with their school commitments. • where appropriate, support students to select school subjects that will complement their apprenticeship or traineeship and advise students on the best subjects or courses for their individual learning needs and aspirations. • ensure students undertaking an apprenticeship or traineeship are supported to remain engaged with their school community. • ensure where a student is transitioned to another school that the school and/or education authority is notified of this change in writing. • may liaise with the ANP to negotiate work hours to cover any potential timetabling issues that may arise, where appropriate. • ensure the apprenticeship or traineeship is at an appropriate level for the school aged learner e.g Certificate II or Certificate III level or above. 	<ul style="list-style-type: none"> • ensure school-aged learner has been granted approval to undertake part time Approved Learning Program (ALP) apprenticeship or traineeship in accordance with the Education Act 2016 and with TTAC policy and guidelines (Policy 2). • ensure the school-aged learner is supported to reengage with the school community or is transitioned to another Approved Learning Program if the training contract is terminated. 		<ul style="list-style-type: none"> • ensure full-time apprenticeships • and traineeships meet the requirements of the Education Act 2016. • understand the minimum leaving requirements under the Education Act 2016 (see section on exemptions and approved learning program minimum requirements page 9). • ensure the school-aged learner is supported to reengage with the school community or is transitioned to another Approved Learning Program if the training contract is terminated. 	<ul style="list-style-type: none"> • ensure the full-time apprenticeship or traineeship is at Certificate III level or above.

Additional Requirements and Responsibilities for each type of Apprenticeship and Traineeship for School-aged Learners

Years 9 to 12 Learning ApTSL Team					
Australian School-based Apprenticeships/Traineeships		Part-time Apprenticeships/Traineeships		Full-time Apprenticeships/Traineeships	
Must	Should	Must	Should	Must	Should
<ul style="list-style-type: none"> ensure the apprenticeship/traineeship meets the requirements of the Education Act 2016. be involved in the annual documented review (covered under TTAC Policies and Guidelines) of the employment, training and schooling arrangements to ensure arrangements remain in the interests of the student and that the student is meeting their requirements. Provide approval for any request for a 'flexible contract' over 15+ hours per week. 		<ul style="list-style-type: none"> be involved in the annual documented review (covered under TTAC Policies and Guidelines) of the employment, training and schooling arrangements to ensure arrangements remain in the interests of the student and that the student is meeting their requirements. Reconnect the school-aged learner with their school or school identified in their transition plan to reengage with education on the cancellation of a training contract. 		<ul style="list-style-type: none"> understand the minimum leaving requirements under the Education Act 2016 (see section on minimum leaving requirements, page 9). Reconnect the school-aged learner with their school or school identified in their transition plan to reengage with education on the cancellation of a training contract. 	

School Boards, School Authorities and Government Bodies (Government & Non-Government Schools)					
Australian School-based Apprenticeships/Traineeships		Part-time Apprenticeships/Traineeships		Full-time Apprenticeships/Traineeships	
Must	Should	Must	Should	Must	Should
		<ul style="list-style-type: none"> be aware of TTAC Policy and Guidelines (policy 2). Understand the policies and obligations under the Education Act 2016 in relation to part-time attendance at an Approved Learning Program 		<ul style="list-style-type: none"> ensure schools understand the minimum leaving requirements under the Education Act 2016 (see section on minimum leaving requirements, page 9). 	

Secretary Department of Education (DoE)					
Australian School-based Apprenticeships/Traineeships		Part-time Apprenticeships/Traineeships		Full-time Apprenticeships/Traineeships	
Must	Should	Must	Should	Must	Should
		<ul style="list-style-type: none"> be aware of TTAC Policy and Guidelines (policy 2). Understand the policies and obligations under the Education Act 2016 in relation to part-time attendance at an Approved Learning Program 		<ul style="list-style-type: none"> ensure schools are aware of the legislative requirements for exemptions. ensure schools understand the minimum leaving requirements under the Education Act 2016 (see section on minimum leaving requirements, page 9). 	

Cancellation of Training Contracts

Principals and schools **must** support school-aged learners whose training contracts are cancelled to reengage with their education and training.

Minimum Leaving Requirements and Distinction between Approved Learning Program and Individual Education Program

Students are required to continue to participate in education and training until they complete Year 12, attain a Certificate III, or they turn 18 years of age (whichever occurs first).

Prior to the beginning of year 11, students are referred to under the *Education Act 2016* as a “child” and their learning defined as an “individual education program”. Once the student reaches year 11 and 12, they are defined as a “youth” and their learning is defined as an “approved learning program”.

Legislative Requirements for RTOs

Reporting is a legislative requirement for all RTOs, as outlined in Section 64C of the [Office of Tasmanian Assessment, Standards and Certification Act 2003](#).

“A registered training organisation conducting operations in this State must provide returns of its client records of attainment of units of competency and qualifications, as are determined by the Office; to the Office at such times and in such manner as the Office determines.”

School v Employer Obligations

It is important that schools understand where their obligations and responsibilities for students undertaking an apprenticeship or traineeship begin and end.

Apprenticeships and traineeships differ to VET in schools programs and Work-based Learning in that duties such as Risk Management Plans and Risk Assessment checklists for workplaces **are not** the responsibility of the school.

When a student is on a school site, they are the responsibility of the school. When the student undertaking the apprenticeship or traineeship is at the workplace, they are the responsibility of the employer and covered under workplace legislation and industrial awards.

If schools are unsure of their legal or insurance responsibilities or obligations, they should contact their contracted legal advisors.

Suspensions

Students who are suspended from attending school for behavioural reasons **should** still be permitted to meet their work and training commitments under their apprenticeship or traineeship, in accordance with school or sector suspension policy and the requirements of the *Education Act 2016*.

Relevant Legislation, Guidelines and Requirements

This document does not cover all the legislative and policy requirements for the delivery of apprenticeships and traineeships for school-aged learners.

Other relevant legislation and framework/guide policy may include:

- **Legislation**
 - » *Education Act 2016*
 - *Including Ministerial Instructions*
 - » *Fair Work Act 2009*
 - » *Office of Tasmanian Assessment, Standards and Certification Act 2003*
 - » *Training and Workforce Development Act 2013*
 - » *Work Health and Safety Act 2012*
 - » *Work Health and Safety Regulations 2012*
- **Frameworks/Guides/Policies**
 - » *Approved Learning Program - Requirements And Guidance For Youth Engagement In Post-Year 10 Education And Training*
 - » *Relevant Departmental, Sector or School policies/guides/manuals*
 - » *Tasmanian Traineeships and Apprenticeships Committee (TTAC) Policies and Guidelines*
 - » *Vision for Vision for Vocational Learning and VET in Tasmanian Schools to 2030*



Definitions

Award - A legal document that outlines the wages and conditions of employment for employees that are covered by it within a particular industry or occupation.

Apprenticeships and Traineeships facilitator - A school staff member with an assigned responsibility for apprenticeships and traineeships.

ApTSL - Apprenticeships and Traineeships for school-aged learners.

Apprenticeship Network Provider - Apprenticeship Network providers give personalised advice and support services from pre-commencement of the apprenticeship or traineeship to completion.

Approved Learning Program - A youth is participating in an approved learning program if he or she, subject to the Education Act 2016, is being provided with education or training by each provider in accordance with the program.

Child - A student in year 10 or below.

Contracted Legal Advisor - A contracted individual, firm or department responsible for providing legal advice to a school.

Education Authority - TTAC Policy define an Education Authority as one of the following: the Tasmanian Department of Education; Office of the Education Registrar; Catholic Education Tasmania; and Independent Schools Tasmania. References to the Education Authority are only applicable where the Education Authority has a policy stipulating their involvement is required.

Individual education program - A program authorised and supervised by a principal of a school that meets the individual educational needs of a child enrolled at that school.

Industry - Businesses and professional associations working in a specific field.

Ministerial Instructions - A legislative document issued to clarify or add to a specific section of an Act.

Office of Tasmanian Assessment, Standards and Certification (TASC) - Independent Statutory Office responsible for VET data collection from RTOs delivering to Tasmanian residents.

Parent/guardian - Includes guardian/s or other person/s having the care and control of a child.

Principal - Person in charge of their school or their delegate (Assistant Principal).

Registered Training Organisation (RTO) - Training organisations registered by ASQA to deliver vocational education and training (VET).

School-aged learner - A young person who has not yet met their leaving requirements under the Education Act 2016.

Sector Head - The head of an education sector or an independent school. For example, the Secretary, Department of Education is the sector head for government schools.

Skills Tasmania - Skills Tasmania develop and manage the Tasmanian training and workforce development system in partnership with industry, the vocational education and training (VET) sector, training providers and the wider community.

Tasmanian Traineeships and Apprenticeships Committee (TTAC) - A statutory committee established under and governed by the Training and Workforce Development Act 2013 (the Act).

Tasmanian Home Education Advisory Council (THEAC) - Advises the Minister for Education and the general public on matters to do with home education and registers and monitors individual home education programs.

Training Contract - A training contract is a legal agreement between an employer and an apprentice or trainee.

Vocational Learning - Helps secondary students explore the world of work, identify career options and pathways, and build career development skills. Vocational learning is also delivered within the broader school curriculum.

Years 9 to 12 Learning - State government business unit responsible for vocational learning in Tasmanian schools.

Youth - A school-aged learner in year 11 or 12.