

Operational procedure

Version 4 – 5/10/2009

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Access to hard copy training contracts and supporting paperwork held by AACs

1. Authority

Deed of Agreement

2. Associated documents

Training contract and hard copy paperwork request form

[Electronic Registration Operational Procedure & Central Approval System \(CAS\) manual](#)

3. Introduction

3.1 This operational procedure applies to situations where:

- (1) the Department of Education and Training (DET) requires access to the hard copy of a training contract and/or supporting hard copy paperwork held by an Australian Apprenticeships Centre (AAC); and/or
- (2) an employer and/or an apprentice/trainee require access to the carbonated copy of their training contract held by an AAC.

3.2 While the primary source of training contract information is the electronic record held in DELTA, there may be rare occasions when the hard copy of a training contract or supporting paperwork held by an AAC is required. DET and participating AACs have agreed on principles that govern access to the hard copy.

3.3 The carbonated hard copy training contract incorporates multiple copies which are distributed by the AAC. The original (DET's copy) and the AAC's copy are held by the AAC, and the AAC distributes a copy each to the employer and the apprentice/trainee. An electronic version of the training contract is available from Smart Licence and, when this version is used, the AAC retains DET's copy and gives a copy each to the employer and the apprentice/trainee.

3.4 DET monitors the accuracy and completeness of training contracts and supporting paperwork, in conjunction with the Commonwealth Department of Education, Employment and Workplace Relations (DEEWR) who randomly monitor AAC processes.

3.5 The Director, Industry Development (DET) may choose to monitor the use of this procedure by requesting information from regions regarding the number of occasions where DET has requested AACs provide hard copies of training contracts and/or supporting paperwork.

4. Requests by DET to access hard copy training contracts and/or other supporting paperwork held by an AAC

4.1 Any request by DET to access the hard copy of a training contract and/or supporting paperwork held by an AAC should be made in keeping with the following principles.

DET may request access to a hard copy training contract and/or supporting paperwork where:

- there is a dispute over the validity of the training contract and/or supporting paperwork (instigated either by DET or a party to the contract) and other avenues of confirming validity have been exhausted;
- when a party to the training contract requests a copy of the original contract and/or supporting paperwork (ie where a certified extract of the DELTA record will not suffice);
- where required by DET or the Department of Justice and Attorney-General as evidence in a tribunal or court of law.

4.2 Where DET requires clarification of information contained in the training contract and/or supporting paperwork but the hard copy training contract is not required, DET officers should contact the AAC via email, telephone or electronic data exchange (eg return the electronic training contract data if prior to registration).

4.3 In all circumstances, to obtain the paper original of a training contract and/or supporting paperwork held by an AAC, the requesting officer is required to:

- complete the 'Training contract and hard copy paperwork request form';
- obtain the relevant Assistant Regional Director's authorisation (signature on the form); and
- fax the completed form and authorisation to the relevant AAC.

Note: The separate page of the form, containing the reasons for the request, is for departmental use only and should not be forwarded to the AAC.

4.4 The AAC will action the request within two working days of receipt of the form, and send the requested document/s to the DET office nominated on the form. Alternatively, DET may collect the document/s by hand. (The AAC will advise when the document/s are ready for collection.)

5. Requests by an employer or an apprentice/trainee to access their carbonated copy of a training contract held by an AAC

5.1 Some AACs have sought to streamline their training contract lodgement processes by retaining the carbonated copies of registered training contracts and, in their stead, giving the employer and the apprentice/trainee a scanned copy or photocopy for their records.

5.2 The legislation is silent in regard to providing the parties a copy of their registered training contract, and DET has decided to acquiesce to an arrangement whereby the AAC provides the employer and the apprentice/trainee either a carbonated copy of the registered training contract, or emails a scanned copy or gives a photocopy of the contract to the employer and the apprentice/trainee.

5.3 Where an AAC prefers to distribute a scanned copy or a photocopy of a carbonated training contract, it is not necessary the AAC obtain the parties' written agreement prior to implementing this arrangement. If a carbonated training contract was used, the AAC must obtain the employer's and the apprentice/trainee's prior verbal agreement, and ensure they understand they will receive a scanned copy or photocopy and they may access their carbonated copy later by contacting the AAC. If either party tells the AAC they want their carbonated copy, then the AAC must give that party the carbonated document.

5.4 It is important the parties are aware of their obligations and details of the apprenticeship or traineeship as displayed on the training contract. Where the AAC provides a scanned copy or photocopy, it must be legible and include all information shown on both sides of the signed training contract (including contact details) and the 'Information You Need to Know' section of the hard cover of the paper contract. The electronic version includes these required details and information and, therefore, where the Smart Licence training contract is used it is acceptable to send the parties a scan of the contract.

5.5 Where an employer or an apprentice/trainee requires access to the carbonated copy of their registered training contract which is held by an AAC, they should contact the AAC direct, and the AAC is required to provide their carbonated copy on request. An employer or an apprentice/trainee who accesses their carbonated copy of the training contract may retain it if they wish.

6. Archived documents

6.1 AACs usually archive training contracts with DEEWR 12 months after the last action on that record.

6.2 Requests for archived hard copies of training contracts and/or supporting paperwork will need to be obtained through DEEWR. Processes for requesting these documents from DEEWR's archives will be developed when required.

7. Responsible officer

Responsible officer:	Contact officer:
Director	Executive Officer
Industry Development	Apprenticeships/Traineeships & Overseas Skills

8. Authorisation

This document accurately reflects the procedure which applies to accessing hard copies of training contracts and supporting paperwork held by AACs.

Original signed by Mr T. Maloney on 5/10/2009.
(Sighted and signed)

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Director
Industry Development