

# Third Party Access for Vocational Education and Training (VET)

# Guidelines for Registered Training Organisations

For Access to  
TAFE Facilities in Queensland

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## Foreword

Launched in 2006, the \$1 billion *Queensland Skills Plan* is the government's strategy for responding to skill shortages across Queensland. The *Queensland Skills Plan* commits to enhancing existing third party access to TAFE facilities to resolve skills shortages in partnership with industries.

Due to strong employment growth and related skills shortages, Queensland is experiencing record levels of demand<sup>1</sup> for apprenticeship training. The *Third Party Access for Vocational Education and Training (VET) Policy* ("the Policy") and the *Third Party Access for Vocational Education and Training (VET) Guidelines for Registered Training Organisations* ("the Guidelines") provides a framework for the Queensland Government to work in partnership with industry to respond to skill shortages across Queensland.

To meet these challenges the Department of Education and Training has implemented the Policy to assist with training demand and increase the capacity of quality training providers.

The Policy outlines a strategy for registered training organisations, as vocational education and training stakeholders, to gain access to publicly owned TAFE facilities where facilities are not being utilised to their full potential by TAFE institutes.

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<sup>1</sup> Source: Queensland Skills Plan (2006)

# Background

Third party access is broadly defined as allowing organisations external to the department to access the department's TAFE training facilities. Third party access under the Policy and these Guidelines relates to registered training organisations accessing TAFE facilities.

TAFE facilities across Queensland have been tenured to third parties on an ad hoc basis for a number of years. The department is now committed to developing a third party access regime that better utilises its investment in TAFE facilities and assists in meeting training market needs.

## Benefits of the Policy

### **For the community:**

- Provides greater access to government training facilities;
- Enhances opportunities for economic and social development; and
- Increases number of training places available each year.

### **For industry:**

- Increases number of skilled workers;
- Enhances partnerships with government; and
- Addresses skills shortages across Queensland.

### **For registered training organisations:**

- Increases numbers of training places as a result of greater access to government training facilities;
- Creates opportunities to improve and expand business;
- Enhances partnerships between private training providers and public training providers and government in general; and
- Assists in addressing skills shortages across Queensland.

### **For the department:**

- Implements Queensland Government priorities to increase the output of training in Queensland;
- Links departmental operations with Queensland Government priorities;
- Enhances partnerships with private training providers and other industry representatives;
- Aligns third party access with industry training needs; and
- Improves utilisation of TAFE facilities to achieve maximum return on public investment.

## Relevant resources

### **Legislation**

- *Financial Administration and Audit Act 1977*
- *Financial Management Standard 1997*
- *Skilling Australia's Workforce Act 2005*
- *Trade Practices Act 1974*
- *Vocational Education, Training and Employment Act 2000*
- *Workers Compensation and Rehabilitation Act 2003*
- *Workplace Health and Safety Act 1995*



***National policies and standards***

- *Australian Quality Training Framework Standards for Registered Training Organisations*
- *2005-2008 Commonwealth-State Agreement for Skilling Australia's Workforce*
- *National Competition Policy*

***Queensland policies and standards***

- *Department of Education and Training Financial Management Practices Manual*
- *Full Cost Pricing Policy*
- *Queensland Skills Plan*
- *Smart Queensland: Smart State Strategy 2005-2015*

# Guidelines

## 1. Principles of policy and guidelines

The Policy and Guidelines will meet the following principles:

- Growing the Queensland vocational education and training sector by providing greater access to training and contributing to increasing the number and range of vocational education and training qualified persons in Queensland.
- Training facilities will be made available to registered training organisations on a commercial basis in compliance with *National Competition Policy* requirements. This includes:
  - competitive neutrality; and
  - enabling third party access to publicly owned infrastructure.
- Where facilities are not fully utilised, third party access will be offered all hours including weekends and weekdays. (Council regulations must be considered when seeking access outside normal business hours.)
- Access to TAFE facilities will be prioritised accordingly as follows:
  - 1<sup>st</sup> Priority:* TAFE training needs will be identified and facilities used accordingly. Institutes are assigned priority rights as the public training provider of government training objectives in Queensland.
  - 2<sup>nd</sup> Priority:* Where facilities are not fully utilised, access to TAFE facilities for registered training organisations may be arranged to provide training in high priority training areas identified by government at the time access to TAFE premises is requested.
  - 3<sup>rd</sup> Priority:* Where facilities are not fully utilised, third party access may be provided to registered training organisations providing training in low priority training areas.

## 2. Government priorities

As training needs emerge and are identified by industry and regional representatives, the Queensland Government will prioritise the use of TAFE facilities accordingly.

In 2006, the *Queensland Skills Plan* identified a serious shortage of trade skills. The Queensland Government will continue to work with industry to identify priorities as they emerge and as the market fluctuates.

Further information regarding annual planning and investment in vocational education and training can be obtained by contacting the department's VET Investment Office on 07 3237 1388.

## 3. Locations and facilities

A list of TAFE campus locations is available at [www.tafe.qld.gov.au/about\\_us/institutes](http://www.tafe.qld.gov.au/about_us/institutes) .

The types of facilities potentially available for hire are shown in **Attachment 1**.

Note that due to general property management issues (e.g. disposal, capital works, or maintenance of property) or other circumstances, certain facilities may not be available for use.

## 4. Risk management

The availability of facilities will be subject to risk management assessments. For example, restrictions may be placed on high-tech equipment where damage to the equipment would expose the department to unacceptable consequences. Under such circumstances, access may only be granted to small training groups under the strict supervision of a qualified trainer and operator. The training organisation utilising the equipment may be required to indemnify the department against loss or damage before use can commence.

TAFE facilities have generally been categorised into the following risk categories:

**Low risk** – Facilities which do not contain specialised equipment (e.g. standard classrooms, theatrettes, meeting/seminar/conference rooms).

**Medium risk** – Facilities which may contain some types of specialised equipment (e.g. basic computer rooms, photographic equipment, sports equipment).

**High risk** – Facilities which may contain the following:

- equipment requiring demonstrated competencies or licenses to operate (e.g. workshops, kitchens, labs, metal working equipment);
- computers with specialised hardware and software; or
- networked computers (where there is a threat to the department's operations if a virus is introduced or if security is compromised). This categorisation applies even though computing equipment, systems and software are currently unavailable for use by training providers.

Refer to **Table 1** in **Attachment 1** for a list of TAFE facilities potentially available and the associated levels of risk.

## 5. Pricing

The price of facilities will be negotiated based on commercial rates.

### (a) Price inclusions

The following expenses will be incorporated into the hire price:

- Building maintenance
- Cleaning (normal hours)
- Electricity
- Electronic whiteboard/Overhead projector/Video-DVD (if available)
- Facilities management fees
- Fixtures and fittings
- Pest control
- Rates
- Security (normal hours)
- Use of common areas (i.e. corridors, parking, etc.)
- Waste disposal
- Water
- Other utilities

High value facilities, and those facilities categorised as high risk (as per Section 4 above), will be priced accordingly.

### (b) Price exclusions

The items shown in **Table 2** of **Attachment 1** are additional costs over and above the price inclusions, which may be incurred by the registered training organisation depending on requirements. This includes the following types of expenses:

- security or cleaning (outside of normal TAFE operating hours);
- trade materials;
- storage space;
- catering;
- specialist equipment;
- library services excluding services which would require the training organisation's staff or students to use the department's computer equipment, systems or software;
- class consumables necessary for use of facility; and
- access to other equipment (e.g. photocopiers).

The hire charges outlined in the legal agreement will be final.

## 6. Legal agreements

Facilities will only be made available after a legal agreement has been signed by relevant parties.

The table shown in **Attachment 2** summarises the key responsibilities of parties entering into a legal agreement for access to TAFE facilities.

## 7. TAFE brand name

The Queensland Government has a significant investment in its TAFE institute brand names. If access to TAFE facilities is approved, the legal agreement will include terms and conditions to protect the reputation of the Queensland Government TAFE institutes.

## 8. Application review

If a registered training organisation is not satisfied with a decision made in response to an application to access TAFE facilities, the registered training organisation can raise the matter in writing with the relevant TAFE Institute Director. The Institute Director will review the application decision and respond in writing.

If the matter cannot be resolved between the registered training organisation and the TAFE Institute Director, the registered training organisation may write to the Deputy Director-General (Training) for a review and decision.

## 9. How to apply

After reading the Policy and these Guidelines, contact should be made with the relevant TAFE institute to check availability of facilities in the location required.

Applications to access TAFE facilities can be submitted online at:

<http://www.training.qld.gov.au/training-organisations/request-use-tafe-facilities.php>

## 10. Contact us

Contact numbers are available at [www.tafe.qld.gov.au/about\\_us/institutes](http://www.tafe.qld.gov.au/about_us/institutes)

## Attachment 1 – Facilities

The tables below show the type of TAFE facilities available and the additional costs that may apply to the hire of facilities. (Any additional costs will be negotiated as needs are identified.)

**Table 1 – Types of facilities**

| Description of facilities*                               | Risk category indicator# |
|--|--------------------------|
| Auditorium   | Low-Med                  |
| Panel beating, Spray Painting, Upholstery                | High                     |
| Beauty Therapy, Massage                                  | Med-High                 |
| Bricklaying, Concreting                                  | High                     |
| Butchery   | High                     |
| Carpentry, Joinery, Wood Machine, Prop Build (P.Arts)    | High                     |
| Ceramics   | High                     |
| Childcare Training facilities (nil children on premises) | Low                      |
| Classroom  | Low                      |
| Dental Asst  | Low                      |
| Architecture, Civil Engineering                          | High                     |
| Dynamometer Laboratory                                   | High                     |
| Electrical   | High                     |
| Engineering  | High                     |
| Shearing, Dairy, Pastoral, Wool                          | High                     |
| Fashion Design and Fabrication                           | High                     |
| Fitness Centre, Aerobics, Weight Training, Kinesiology   | Low-Med                  |
| Fitting & Machining                                      | High                     |
| Moulding. Pattern making, Farrier                        | High                     |
| Furniture fabrication, Cabinet making                    | High                     |
| Glazing  | High                     |
| Gymnasium  | Low-Med                  |
| Hairdressing   | High                     |
| Horticulture, Propagation, Landscaping, Paving           | High                     |
| Bar Training, Gaming Room                                | High                     |
| Information Tech Pull Apart                              | Low                      |
| Plastering, Tiling, Int Design, Paint & Decorating       | High                     |
| Professional Cookery, Bakery, Scullery, Patisserie       | High                     |
| Locksmith  | Medium                   |
| Boat Building/ Maritime Operations (Vessel - WBIT)       | High                     |
| Auto/Diesel/Marine/Engine                                | High                     |
| Metal Fabrication, Welding                               | High                     |
| Sound Studio, Control & Editing rooms                    | High                     |
| Nursing Ward, Aged Care, Anatomy, First Aid              | Low                      |
| Practical Office/Business, Hotel Reception               | Medium                   |
| Performing Arts ( Dance, Theatre)                        | Low                      |
| Photography Laboratory                                   | High                     |
| Plumbing   | High                     |
| Refrigeration, Air Conditioning                          | High                     |
| Restaurant (Training), Bistro (Training)                 | Med-High                 |
| Laboratory, Food Science, Biotechnology                  | High                     |
| Store room   | Low                      |
| Visual Arts  | Med-High                 |

\* Note that facilities listed are not available in all locations.

# Risk category varies across TAFE campuses depending on the complexity of the facility.

**Table 2 – Additional costs**

| <b>Services</b>   |
|---|
| Cleaning (outside of normal TAFE institute operating hours)           |
| Security (outside of normal TAFE institute operating hours)           |
| Catering  |
| Library services  |
| <b>General hire of items</b>  |
| Access to general office or other equipment (e.g. Photocopiers, etc.) |
| Class consumables necessary for use of facility                       |
| Specialist equipment (e.g. welders, lathes)                           |
| Storage space   |
| Trade materials   |
| Video conferencing facility   |
| Video conferencing facility support services                          |

## Attachment 2 – Summary of key legal agreement responsibilities

| ITEM                                       | DESCRIPTION   | RESPONSIBLE*                      |
|--|---|-----------------------------------|
| Items schedule                             | Includes: <ul style="list-style-type: none"> <li>• Location of premises</li> <li>• Duration of tenure</li> <li>• Rent amount</li> <li>• Other variables</li> </ul>  | Organisation & the Department     |
| Insurance                                  | \$10,000,000 public liability insurance.  | Organisation                      |
|  | Workers compensation insurance  | Organisation                      |
|  | Building insurance  | The Department                    |
| Outgoings                                  | Expenses and outgoings in respect of the facilities (rates, charges, electricity, security, etc.)   | The Department (or as negotiated) |
| Routine care and maintenance of facilities | Includes: <ul style="list-style-type: none"> <li>• Replacement of essential fixtures</li> <li>• Structural repairs</li> <li>• Cleaning &amp; maintenance</li> <li>• Change-overs (between classes)</li> <li>• Vacated maintenance</li> <li>• Pest eradication</li> </ul>  | The Department (or as negotiated) |
| Maintenance                                | Includes: <ul style="list-style-type: none"> <li>• Leaving the facilities in the same condition on exit as they were in at the commencement of access to the facilities.</li> <li>• Prompt advice in writing of any damage.</li> </ul>  | Organisation                      |
| No alterations without consent             | Structural or other alterations need the prior written consent of the Department.   | Organisation                      |
| Use of common areas                        | A licence to use any part of the common areas (e.g. foyers, walkways, staircases, escalators, etc.)   | As negotiated                     |
| No nuisance                                | Minimum code of conduct and standards of behaviour expected of the Organisation and their staff, students and invitees.   | Organisation                      |
| Right of entry                             | The Department may inspect the facilities during the term of the agreement or at the expiration of the agreement or may enter the premises in an emergency without interfering with the rights of the Organisation.   | Organisation & the Department     |
| Default and termination                    | Includes: <ul style="list-style-type: none"> <li>• In the case of a default or breach, all reasonable steps taken to immediately rectify.</li> <li>• Any or all of the facilities can be repossessed and the agreement terminated if the agreement is breached and the issue leading to the breach is not rectified.</li> </ul> | Organisation & the Department     |
| Indemnity                                  | Indemnity for the Department against claims arising from acts of neglect or default of the Organisation.  | Organisation                      |
| Assignment                                 | Unless agreed otherwise in writing by the Department, the agreement cannot be transferred or assigned to a third party.   | Organisation                      |
| Renewal                                    | Prior to the termination of the agreement the parties may negotiate an extension, negotiate a new agreement, or surrender the facilities.   | Organisation & the Department     |

| ITEM                                  | DESCRIPTION   | RESPONSIBLE*                  |
|---------------------------------------|---|-------------------------------|
| Dispute resolution process            | Resolving disputes between parties.   | Organisation & the Department |
| Privacy                               | Compliance with all required privacy and security measures regarding personal information.  | Organisation & the Department |
| Queensland TAFE institutes brand name | Organisations accessing TAFE facilities must not make any statement in any advertising or literature which directly or indirectly implies that the event, for which the premises is utilised, is conducted or promoted by Queensland TAFE institutes. | Organisation                  |
| Severability                          | Other terms & conditions will not be affected if selected terms & conditions change.  | Organisation & the Department |

\* Refers to the party responsible for adhering to the term/condition. Also:  
**The Department** means the Department of Education and Training.  
**Organisation** means the entity entering into a legal agreement with the Department.