

## Response Option Assessment Tool (Regulatory Activity)

Provider name:		Date ROAT completed:	
Type of activity:		Complaint number(s):	
		Audit number(s):	

Instructions: Boxes with red shading need to be completed. Boxes with grey shading contain formulas and will auto calculate (do not type into).

Static Risk	
Tool	Guidance
Highest rating: clause, standard or Act	Refer to static risk tabs and select the highest risk rating identified.

### Dynamic risk (Case specific factors)

Likelihood							Notes:
Tool		Guidance					
	Score	Unlikely (0)	Possible (2)	Likely (4)	Almost Certain (6)		
Compliance history of training provider		RTO [1] Provider with delegation status OR Demonstrated Consistently Compliant	Presumed Compliant OR Untested	Generally Compliant	Demonstrated Rarely Compliant OR Restrictions	[1] Refer to the RTO Services Registration tab in ASQAnet for Delegation status or Compliance history rating. Providers with multiple delivery (i.e. VET, CRICOS, ELICOS, Higher Ed) use the VET Compliance history rating. If the provider has delegation status then select 'provider with delegation status', not the provider's compliance history rating.	
		Non RTOs -	ELICOS provider registered on CRICOS (non-RTO) [2]	Non-RTO with no history of regulatory activity OR Unresolved regulatory activity (not including this case) [3]	Non-RTO with history of Non-Compliant regulatory activity [7]	[2] This rating is only to be used for an ELICOS provider registered on CRICOS, where the provider is not an RTO. [3] Complaints history must be checked in ASQAnet & EDDIE, to capture current & historical complaints as non-provider complaints are sometimes assigned to partnering/linked RTO so ASQAnet check only may not show any history of activity for the non-RTO.	
Conduct of provider in this case		Conduct of provider in this case [4] (only applies after an audit or complaint evidence analysis has occurred)	-	Behavioural characteristics <b>Cooperative</b>  Other Evidence: Minimal number of non-compliances in this case  Summary: In this case the evidence and interactions with RTO suggests their compliance attitude is: Try to, but don't always succeed	Behavioural characteristics <b>Resistant to obligations</b>  Other Evidence: Multiple/ several non-compliances in this case  Summary: In this case the evidence and interactions with RTO suggests their compliance attitude is: Resistant to compliance	Behavioural characteristics <b>Evading obligations</b>  Other Evidence: Multiple/ several non-compliances in this case  Summary: In this case the evidence and interactions with RTO suggests their compliance attitude is: Have decided not to comply	[4] Assessment of conduct of provider is based on evidence presented in this audit or this complaint evidence analysis activity only. This may include interactions & observations of behaviours during this activity i.e. level of cooperation and attitude towards compliance.
NEAS Quality Endorsement		Only applies to CRICOS provider that are registered for ELICOS [5]. If the allegation or non-compliances relates to VET only, select N/A.				[5] Data source: Provider profile.	
Overall Likelihood of Future non-compliance							

Impact								
Tool			Guidance				Notes	
			Negligible (0)	Minor (1)	Moderate (2)	Major (3)		Severe (4)
Impact on students achieving training product skills and knowledge			Negligible impact on students achieving the Training Product skills and knowledge	Student may/may not achieve the Training Product skills and knowledge as issues centre on matters not directly related to <b>actual delivery of training or actual conduct of assessment.</b>	Student does not achieve the Training Product skills and knowledge as issues centre on delivery support, important course information, learner protection etc.	Student does not achieve the Training Product skills and knowledge as issues centre around matters directly related to <b>actual delivery of training and actual conduct of assessment.</b>	Student does not achieve the Training Product skills and knowledge as issues centre around matters directly related to <b>actual delivery of training and actual conduct of assessment.</b> This might include students exposed to exploitation while undertaking training (e.g. inappropriate use of work placement)	[1] Only consider the issues raised in the complaint allegation or non-compliance identified/outstanding and its impact on the student achieving training product skills and knowledge.
Type of students impacted			Students impacted are not considered disadvantaged or vulnerable [2]	The complaint allegation or non-compliances identified/outstanding indicates <b>1 or 2</b> [3] disadvantaged or vulnerable [2] students being impacted	The complaint allegation or non-compliances identified/outstanding indicates <b>3 to 30</b> [3] disadvantaged or vulnerable [2] students being impacted	The complaint allegation or non-compliances identified/outstanding indicates that <b>31 to 100</b> [3] disadvantaged or vulnerable [2] students being impacted	The complaint allegation or non-compliances identified/outstanding indicates that <b>101 or more</b> [3] disadvantaged or vulnerable [2] students being actively targeted and impacted	[2] Definition of Disadvantaged or vulnerable students for purposes of assessment includes: overseas students (where the overseas students impacted are not complicit in the provider's allegations/non-compliance), indigenous students, students with a disability/in care (e.g. a student in an aged care facility), students from Non English speaking background, refugees, under 18's or unemployed.
Number of students impacted			-	The complaint allegation or non-compliances identified/outstanding indicates of <b>1 or 2</b> students [3] being impacted or likely to be impacted	The complaint allegation or non-compliances identified/outstanding indicates <b>3 to 30</b> students [3] being impacted / likely to be impacted	The complaint allegation or non-compliances identified/outstanding indicates a <b>31 to 100</b> students [3] being impacted	The complaint allegation or non-compliances identified/outstanding indicates <b>101 or more</b> students [3] being actively targeted and impacted	[3] Data Source to ascertain number of students impacted: - For a complaint allegation, consider the number of students specifically mentioned in the complaint. If no student numbers are referenced in complaint, rate as minor. - For an complaint evidence analysis/audit activity, consider the data gathered during the regulatory activity e.g. enrolment data gathered as part of an audit.
			Negligible (0)	Minor (3)	Moderate (6)	Major (9)	Severe (12)	Notes
Impact on industry [6]			The complaint allegation/non-compliance does not relate to the delivery of a Training Product. [4] OR No evidence to suggest that industry stakeholders are dissatisfied with the performance of graduates.	The complaint allegation or non-compliances identified/outstanding relate to a Training Product that has no specific industry or occupational outcomes (e.g. preparatory qualifications such as English as a second language, and Certificate I in Construction) [5]	The complaint allegation or non-compliances identified/outstanding relate to a Training Product that has an industry or occupational outcome <b>not linked</b> to a known industry requirement (e.g. retail; hospitality; business) [5]	The complaint allegation or non-compliances identified/outstanding relate to a Training Product that is <b>linked to known non-licensed and/or non-regulated</b> industry requirements (e.g. Training Products where the graduate can apply for membership to an industry association [7] [such as remedial massage] [5]	The complaint allegation or non-compliances identified/outstanding relate to a Training Product that has <b>licensed outcomes and/or regulated industry requirements [8] and/or industry requirements mandated in the training package</b> (e.g. electro technology electrician; Training Products with the words "Licence to" in the title; Training Products that the graduate must be certified in to work in that industry [such as TAE40110, child care]) [5]	[4] If the complaint allegation or non-compliances identified/outstanding do not relate to <b>actual delivery of training and actual conduct of assessment</b> , rate as Negligible (e.g. <b>marketing of a training product in a short duration</b> , not informed of VET Fee help debt) [5] If the complaint allegation or non-compliances identified/outstanding directly relate to <b>actual delivery of training and actual conduct of assessment</b> , rate as Negligible to Severe based on training product. In the case of multiple non-compliant products consider the highest rated product. [6] Industry definition: employers, industry regulators/licensing bodies, industry associations, peak industry bodies, training package developers, unions, (does not include RTO's/ RTO member associations). [7] Industry Association definition: Industry groups that represent a portion of industry and are often membership based. They do not have legislative authority even though in some instances the associations may create approved provider lists or other entry/ operation requirements for their industry. This includes training products where it is known that employers may require or look favourably upon employing VET graduates who possess membership of a particular industry association as membership may provide the graduate /employee with insurance/indemnity coverage or might make their clients eligible to claim health care rebates. [8] Regulated Industry requirements definition: Training products regulated by a Government agency or statutory authority with a legislative basis for regulating that area of industry. The different types of regulators included in this category are: 1. Regulators that issue licences directly to graduates of VET. 2. Regulators that regulate providers (RTO's) and graduates in their industry 3. Regulators that regulate organisations that employ graduates of VET and/or set minimum qualification pre-requisites to enter or operate in that industry.
Safety issues compromised			Issues alleged or non-compliance identified would have <b>negligible</b> safety issues in the training or work environment. [9]	The complaint allegation or non-compliances identified/outstanding raises <b>minor</b> safety issues in the training or work environment.  Minor means safety hazards are unlikely to be encountered and would be minor if they were encountered. [10]	The complaint allegation or non-compliances identified/outstanding raises <b>moderate</b> safety issues in the training or work environment.  Moderate means safety hazards may be encountered but the potential for injury would not be expected to be life threatening. [10]	The complaint allegation or non-compliances identified/outstanding raises <b>major</b> safety issues in the training or work environment.  Major means safety hazards may be encountered which have the potential for serious injury to student or others. [10]	The complaint allegation or non-compliances identified/outstanding raises <b>severe</b> safety issues in the training or work environment.  Severe means safety hazards may be encountered which have the potential for death or serious injury to student or others.  It may also include Regulatory Operations observation of sub-standard facilities or equipment which may have a severe safety impact on students or others. [10]	[9] If the complaint allegation or non-compliances identified/outstanding do not relate to <b>actual delivery of training and actual conduct of assessment</b> , rate as Negligible (e.g. <b>marketing of a training product in a short duration</b> , were not informed of VET Fee help debt) [10] If the complaint allegation or non-compliances identified/outstanding directly relate to <b>actual delivery of training and actual conduct of assessment</b> , rate as Negligible to Severe based the Training Products listed in the complaint allegation or non-compliance identified. Where multiple Training Products are listed rank according to the Training Product with the highest safety issues compromised. Consider the safety hazards (physical, mechanical, chemical, biological hazards) in the nature of the activities (e.g. operating machinery) and the environment the activities would normally be performed in (e.g. in a mine, office). Safety should also be considered in terms of potential for and likelihood of harm to the student and others (e.g. customers, client, person being cared for or passengers).
Overall Impact								

**Outcome - Case Specific Factors**

Overall Assessment of Case Specific Factors  Refer to 'Overall seriousness of CSF' tab for more information on how Impact and Likelihood are mapped

**Response Option**

Response option  Refer to 'Response option mapping' tab for more information on how static and dynamic risks are mapped

**Comments**