

Traffic Control and Traffic Management Implementation

Registered Training Organisation (RTO) Governance Framework

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1 Purpose of this document

This document describes the processes and methodology used by the Department of Transport and Main Roads in managing its licenced Registered Training Organisations (RTO) who deliver the Traffic Control (TC) and Traffic Management Implementation (TMI) training programs on behalf of the department. Traffic Management Design is governed under separate processes and is out of scope of this document.

The purpose of the framework is to:

- inform Transport and Main Roads' processes and decisions relating to the approval, management, compliance and licence renewal of licenced RTOs
- ensure consistent and quality training outcomes, and
- assist in maintaining an appropriate level of governance for activities carried out on its roads.

2 Background

Transport and Main Roads' role is to provide transport infrastructure that is safe, cost effective, functional and meets current and future needs. This is delivered by providing infrastructure solutions that are innovative and deliver best value for money.

Transport and Main Roads also has a commitment to a zero harm safety culture and has implemented a traffic management improvement at roadworks project. Its general objective is to achieve "roadwork sites that are safe for workers and road users at an affordable cost".

Part of this improvement project is to ensure the capability of all personnel who are involved in traffic control at roadworks. This includes traffic controllers and implementers of traffic management plans and traffic guidance schemes.

3 Overview

Transport and Main Roads are responsible for the governance and management of the Traffic Management Training Program of Work which includes:

- Traffic Control and Traffic Management Implementation Training Program Content and Materials Management
- Registered Training Organisations Licencing Program
- Registered Training Organisation Compliance Management.

The RTO Governance Framework aims to ensure that zero harm, legislative requirements and quality of training programs is maintained through the effective governance and management of RTO providers.

In doing so, the department applies a risk-based approach to compliance. Resources are directed towards areas that pose the greatest threat to quality training and safety outcomes for the Queensland community. In addition, the compliance burden is minimised as much as practicable.

The RTO Governance Framework also aims to ensure the Traffic Management Training Program of Work is managed fairly, transparently and equitably.

4 What risk is managed?

Transport and Main Roads aims to manage risks to the quality of TC and TMI outcomes for students, industry and the wider community. The department shares this responsibility for managing this risk with other stakeholders:

- **The Australian Skills Quality Authority (ASQA)** is the national regulator of vocational education and training (VET). ASQA regulates more than 4000 training providers including RTOs that deliver VET qualifications and courses.
- **Industry** is responsible for working with governments, training product developers and providers to ensure training products meet workplace needs and lead to productive workers.
- **Providers** are responsible for delivering quality training and assessment that complies with *ASQA Standards for Registered Training Organisations 2015*, Transport and Main Roads licence agreements, relevant standards and legislation. This includes meeting the industry needs described in training packages and accredited courses.

The primary risks to the success of the Program are:

- inconsistent and inadequate delivery of training, through RTOs not complying with the licence agreement to deliver the approved programs, and
- trainees attaining competencies who do not have the required standard of skills, knowledge and attitudes.

The potential damage flows not just to the individuals, but to employers, the wider community and the reputation of the department.

5 Governance principles

Transport and Main Roads' governance approach is consistent with the principles of risk-based regulation.

The department:

- accepts that not all risks can be eliminated, and different strategies and approaches are required to effectively manage different types of risk
- seeks to efficiently use resources to effectively identify and target the most serious risks and patterns of systemic non-compliance
- seeks to minimise regulatory burden for proven high-performing providers with a history of compliance, and increase governance action for those considered higher risk
- uses a suite of tools to respond proportionately to risks being managed (ranging from encouraging compliance through communication and advice, through to monitoring and cancellation of licence agreements for more serious cases, or where breaches persist and continue to persist)
- applies procedural fairness in decisions and is transparent about frameworks that guide governance, and
- is continuously reviewed and improved to ensure Transport and Main Roads' responsibilities are being fulfilled.

6 RTO Governance Framework

The Framework defines the following procedures / processes, criteria and decision points (treatment) applied by the department in the approval, management, compliance and licence renewal of RTOs (RTO Risk Methodology).

The use of data and intelligence to inform judgements about appropriate interventions is central to this risk based approach. Appropriate interventions aim to promote compliance and improve confidence in the departments' (RTO Governance Framework).

Risk Methodology	RTO Licence Management
<ul style="list-style-type: none"> • Risk Methodology • Risk Register • Risk Assessment and Rating Matrix • RTO Risk Profile • Non-compliance Register 	<ul style="list-style-type: none"> • RTO Licence Application Management • RTO Licence Renewal Management <ul style="list-style-type: none"> ○ Non-renewal ○ Conditional ○ Unconditional • RTO Licence Review • Trainer Application Management
Program Management	RTO Compliance Management
<ul style="list-style-type: none"> • Stakeholder Communication • Complaints Management • Training Program Content Management • RTO Monitoring and Reporting • Internal Program Review 	<ul style="list-style-type: none"> • RTO Audit Program Management <ul style="list-style-type: none"> ○ Audit Scheduling ○ Audit Conducting ○ Audit Reporting • RTO Non-compliance Management <ul style="list-style-type: none"> ○ Rectification ○ Conditions ○ Suspension ○ Cancellation

7 How does the risk-based compliance approach work?

Risk is managed on two levels:

- strategic (systematic risk), and
- operational (provider risk).

Level of Risk	Description
1. Systemic	Systemic risk is defined as any risk likely to exist across more than one or two RTOs. If left untreated, significant risks of this type have a detrimental impact on the quality of training and assessment for individuals, industry and the wider community. This may lead to unsafe practices in traffic management at roadworks and a loss of confidence in the department.
2. Provider	Provider risk is the risk an individual RTO presents through their choices and actions, behaviours and practices. If left untreated, this could have a significant detrimental impact on training and assessment outcomes.

7.1 Managing systemic risk

Systematic risks are identified through environmental scanning. These environmental scans draw on inputs from a range of sources including but not limited to:

- Transport and Main Roads regulatory data (traffic management registration and regulation data)
- stakeholder engagement (Councils, QPS, RACQ, State Authorities / Regulators / Bodies / Associations)
- print and social media
- government and industry reviews and findings
- intelligence from internal and external sources.

Environmental scanning identifies areas of concern for Transport and Main Roads, towards which regulation and compliance effort can be targeted. The information derived from environmental scanning influences and informs the direction of the compliance requirements for the development of training materials and for the RTOs who are licensed to deliver TC and TMI on the department's behalf.

7.2 Managing provider risk

Managing provider risk is the foundation of Transport and Main Roads' governance approach. The department addresses this level of risk by using data and intelligence to identify and intervene with individual providers.

7.2.1 Target areas 1: RTO compliance with the licence agreement/s

There are a range of mechanisms for identifying and assessing provider risk. These enable the department to monitor and identify those providers who present greatest risk of adversely affecting the quality of training delivery and the safety of training participants and road users.

Transport and Main Roads continuously reviews provider performance through a central system – RTO Governance Framework. Provider profiles include information such as:

- provider compliance history
- monthly reports submitted to Transport and Main Roads (timely, accurate data provision)
- current and past complaints
- desktop audits – monthly reports, student's records and pre-compliance audit
- compliance audits – onsite, and
- provider conduct to rectifying non-compliance (rectification plans).

7.2.2 Target area 2: Trainer and assessor capability

RTO trainer and assessor capability is a critical concern for the delivery and assessment of the approved programs. Trainer capability and the quality of delivery and assessment practices directly affects the integrity of the approved program outcomes.

ASQA's Regulatory Strategy 2017 –18 attributes the 'lack of trainer and assessor capability' to a range of drivers, with responsibility for addressing this issue shared among a number of stakeholders.

They group the main causes into two main areas:

1. the quality of delivery and assessment of the Certificate IV in Training and Assessment (TAE) qualification, and
2. lack of continuing professional development of the trainer and assessor workforce beyond TAE.

Cause 1 is out of Transport and Main Roads' scope and is being addressed by ASQA.

The following strategies help minimise the risk of Cause 2:

- scrutiny of RTOs and their trainers and assessors who apply to deliver the approved programs (Trainer application form)
- submission of evidence of 10 days per year of currency and professional development evidence for every approved trainer and assessor (RTO renewal application)
- monitor and observe the delivery and assessment of the approved programs (Training observation form)
- implement a trainer / assessor risk profile (under development)
- provide communication, education and tools for providers to promote quality training and assessment practices (Training packages).

7.3 RTO analysis

New RTOs

Upon application, all new RTOs are to meet a minimum standard criteria (Application to deliver the approved program/s). New RTOs are initially unrated and are monitored based on the data and evidence gathered from the points listed in the two target areas. All new RTOs will participate in a compliance audit within 12 months of initial approval. A risk assessment rating will be determined after the compliance audit.

Existing RTOs

All RTOs are assessed individually prior to the annual licence renewal process using a standard risk assessment matrix. The outcome of the assessment is a risk rating of low, medium, high or extreme. An independent panel is then convened to review the rating assigned. The panel reviews each provider's profile information, audit outcomes and any other evidence related to their performance. The panel has the discretion to either confirm, change or request further information regarding the risk rating.

The Transport and Main Roads RTO risk treatment hierarchy is then applied to each RTO. (RTO Risk Treatment Hierarchy).

8 Future governance

Transport and Main Roads' risk based compliance approach was piloted in the last quarter of 2015-16 and introduced fully in 2016-17. The department will continue to embed the risk based compliance approach and increase stakeholder awareness of the approach.

Transport and Main Roads will also continue to conduct an annual review of the processes and implement learnings to develop smarter tools and processes to increase efficiency and transparency.

