

**TRAINING ADVOCATE  
2009 ANNUAL REPORT**



March 2010

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The Honourable Jack Snelling MP  
Minister for Employment, Training and Further Education  
GPO Box 1838  
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Dear Minister

I am pleased to present you with the 2009 Annual Report in accordance with section 25 (1) of the *Training and Skills Development Act 2008*.

The report provides an overview of activities undertaken during the 2009 calendar year as prescribed in the Training Advocate's *Charter of Functions*.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Thérèse O'Leary'.

Thérèse O'Leary  
South Australian Training Advocate

31 March 2010

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## Message from the Training Advocate



Preparing this report has provided me the opportunity to reflect on the first full year as a statutory authority. In particular, that the Office is now recognised as part of the South Australian training landscape and is the only one of its kind in the Australian training system.

During 2009 there was a significant emphasis, both at a state and national level, on the importance of skills development through employment and training. This included changes to the industrial relations environment and a considerable focus on international education across the country where comprehensive reviews into structures and regulatory regimes were undertaken.

We have played a key role in assisting clients to understand their rights and make informed choices within this changing environment. In addition, the views of our clients have been represented in the development of strategies to continue improving the quality and responsiveness of the system.

There was an increase, approximately 33%, in the number of people accessing our services during 2009. This could be attributed to the new legislative framework, the more accessible location and wider promotion of the Office and its services.

Of note, was the substantial increase in the number of international students seeking information, advice and advocacy in relation to their study arrangements.

The service we offer to international students is unique and complements the strong and active group of stakeholders who work together to enhance the student experience in all aspects of studying, living and working in South Australia. Many students have commented that access to this type of support makes our State an attractive study destination.

In relation to the apprenticeship and traineeship system, I am encouraged by the added consumer protection arrangements introduced in late 2008. In particular, apprentices and trainees, who have been supported through the dispute resolution process, have expressed confidence in the new arrangements through the South Australian Industrial Relations Commission.

In South Australia we are fortunate to have a network of organisations committed to maximising employment and training opportunities and ensuring that help is available when it is needed. For example, I was pleased to be involved with a number of agencies in the *New Workers* initiative to inform senior school students, as first time workers, about their rights and responsibilities. During the year our focus was on providing information to school based apprentices, trainees and those undertaking vocational education and training or work experience.

The ability to provide tailored support to clients would not be possible without the commitment, and expertise of the dedicated staff who supported me this year. I would therefore like to extend my appreciation to them for the successful results achieved for our clients during the year.

In addition, I acknowledge the range of agencies and organisations associated with education and training and thank them for their support in 2009. In particular, I thank the Chief Executive and staff of the Department of Further Education, Employment, Science and Technology for providing assistance to enable the Office to function effectively.

I look forward to working collaboratively with the community and industry as new and innovative opportunities for participation in employment and training arise.

**Thérèse O'Leary**  
*South Australian Training Advocate*

## The Legislative Framework

The *Training and Skills Development Act 2008* (the *Act*) was proclaimed on 1 September 2008.

This *Act* relates to higher education, vocational education and training, adult community education and education services for overseas students.

The objects of this *Act* are to further the State's economic and social development through the operations of the Training and Skills Commission, also established under this *Act*.

The *Act* includes the provision of advice on workforce development, the registration of training providers, course accreditation, arrangements for traineeships and apprenticeships and protections for students.

The Training Advocate was established under Part 2 Division 4 of the *Act* with functions designed to enhance consumer protection and focus on monitoring the effectiveness of the training system.

The Training Advocate's functions are described in a *Charter* in accordance with s.21 of the *Act*. This *Charter* was prepared by the Minister after consultation with the Training Advocate and the Training and Skills Commission. As required by the *Act*, copies were laid before both Houses of Parliament on 25 September 2008.

The Training Advocate is subject to the direction, in writing, of the Minister, however, no Ministerial direction may be given in relation to an investigation undertaken in performing the functions (s.22 (1) and (2)).

Pursuant to s.25 (1) of the *Act*, a report on the Training Advocate's activities for the preceding calendar year must be provided to the responsible Minister on or before 31 March in each year. This report must include any direction given by Minister during that year (s.25(2)). In 2009, no written directions were received from the Minister under this Section.

Division 5 Part 5 of the *Act* provides the Training Advocate with the powers necessary to carry out the functions. Under this Part, s.72(1) and (4) provides the Training Advocate with the power to request or provide information to or from a prescribed authority. In addition s.73(1) provides the power to enter and inspect training or employment premises if necessary to address training related matters.

The 2009 Annual Report summarises the activities undertaken in relation to the functions outlined in the *Charter* and in accordance with the *Act*.

**Charter establishing the Training Advocate's Functions under the Training and Skills Development Act 2008 (the Charter)**

The *Charter* refers to the 'training system' which, consistent with the *Act*, comprises higher education, vocational education and training (including apprenticeships and traineeships), adult community education and education services for overseas students.

The functions are designed to improve access and effective participation in employment and skill formation opportunities, and to contribute to strategies which raise the quality and responsiveness of the training system in South Australia.

The functions, which provide the basis for services available to clients or prospective clients of the training system, are described in the *Charter* under five clauses:

- Clause 1 Promotion of employment, education and training
- Clause 2 Independent complaint handling
- Clause 3 Advocacy
- Clause 4 Information and advice
- Clause 5 Monitoring the training system

Administrative guidelines have been developed to underpin the implementation of the functions.

With respect to Clause 2, the Training Advocate has been declared an exempt agency under the *Freedom of Information Act 1991* through the *Freedom of Information (Exempt Agency) Regulations 2008*.

In 2009 activity was undertaken in accordance with each function and this is summarised on pages 7-11 of this report.

A copy of the *Charter* is on page13.

The *Charter* and corresponding Administrative Guidelines can be accessed via the website at [www.trainingadvocate.sa.gov.au](http://www.trainingadvocate.sa.gov.au)

## Activity Data

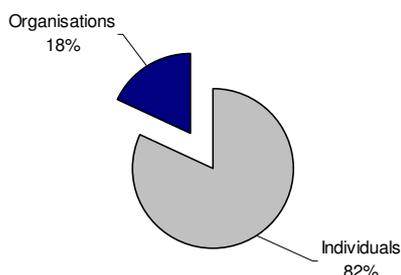
This section provides a general summary of activities during 2009.

In particular it provides brief information about client groups, the types and categories of enquiries or complaints and how these were managed. It also includes demographic information and key issues raised by clients.

The data in this report relates to the information gathered from the Training Advocate's clients only. It should be noted that the total number of clients assisted in 2009 is a small proportion of the numbers actually engaged in the South Australian training system.

In 2009, 706 clients accessed the services of the Training Advocate and were classified as either an individual or an organisation (Figure 1).

**Figure 1. Client Type  
2009 Calendar Year**



**Individuals** - apprentices, trainees, students (international and domestic) or their representatives (eg parents, friends, unions), trainers, and members of the public.

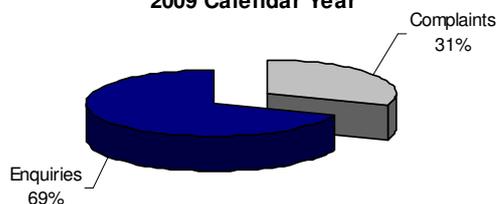
Individual clients receive a personalised service aimed at empowering them to address their enquiry or complaint

**Organisations** – Registered Training Organisations, employers, Australian Apprenticeships Centres, schools, peak bodies and other government agencies.

Primarily, organisational clients are provided with information, advice, referral and/or assistance in navigating the system or in relation to systemic issues.

The proportion of enquiries and complaints received during this reporting period are as follows (Figure 2).

**Figure 2. Enquiries & Complaints  
2009 Calendar Year**



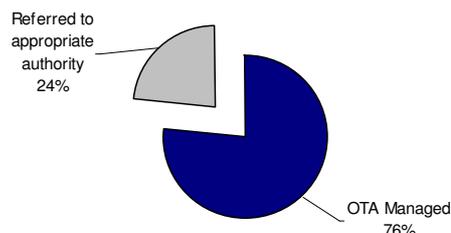
**Enquiry** – request for information about any aspect of the training system. Enquiries from international students may also include information about any aspect of living, working or studying in South Australia

**Complaint** – an expression of dissatisfaction with any aspect of the training system, a formal complaint, the registration of a concern, or assistance sought in dealing with a training related grievance or dispute.

At the initial consultation, each client is provided with information to enable them to make an informed choice about how they may wish to address their particular issue. In this regard a client may choose to deal with the matter themselves or seek support from the Office of the Training Advocate (OTA). Where appropriate the matter is referred to the relevant agency.

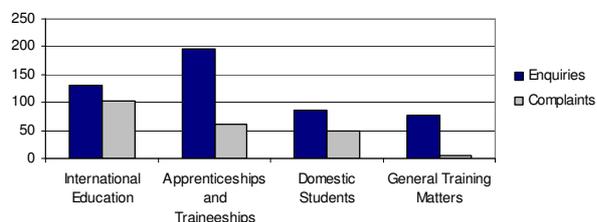
While the majority of cases were managed by the OTA, others were referred to agencies including the Department of Further Education, Employment, Science and Technology (DFEEST), SafeWork SA, Fair Work Australia or Equal Opportunity Commission (Figure 3).

**Figure 3. How cases were managed  
2009 Calendar Year**



Enquiries and complaints were recorded against the following four main categories (Figure 4).

Figure 4. Enquiries & Complaints 2009 Calendar Year



The majority of enquiries and complaints were complex, often requiring the involvement of multiple agencies and organisations in order to reach a satisfactory outcome.

A brief overview of each category is as follows:

### International Education

This category captured information which related to international students studying in South Australia. International Education is underpinned by the *Education Services for Overseas Students (ESOS) Act 2000* and the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007* (The National Code).

The *ESOS Act* makes provision for international students to access an external complaints or appeals process. In South Australia, the Office of the Training Advocate provides an independent complaint process under Clause 2.3 of the *Charter*.

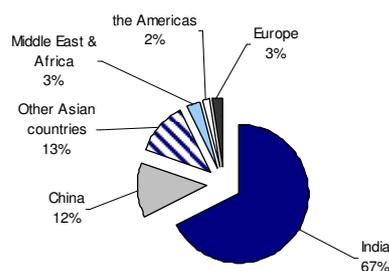
In 2009, of the 234 international education clients, 30 formal external appeals were conducted by the Training Advocate under these arrangements.

The most commonly raised matters by international students related to:

- transferring to an alternative provider or a new course of study
- meeting class attendance or satisfactory academic progress required to comply with visa conditions
- course fees, refunds and other commercial arrangements with providers.

The majority of international students were from India and China. The remaining 21% included students from other Asian countries, eg (Vietnam, Nepal, Hong Kong, Korea, Bangladesh, Thailand, Pakistan, Malaysia and Singapore), the Middle East and Africa (Saudi Arabia, Dubai, Zimbabwe and South Africa), Europe (Russia, UK and Italy) and the Americas (Canada and Brazil) (Figure 5).

Figure 5. International Students - Country of Origin 2009 Calendar Year



### Apprenticeships and Traineeships

This category captured information which related to apprenticeships and traineeships in South Australia. Part 4 of the *Training and Skills Development Act (the Act) 2008* provides the regulatory framework for the apprenticeship and traineeship system.

The *Act* makes provision for grievances and disputes to be lodged with the South Australian Industrial Relations Commission (SAIRC). In accordance with Clause 2.2 of the *Charter*, the Training Advocate provides advocacy in the resolution of matters. In this regard support is provided to apprentices or trainees during the SAIRC process.

In 2009, of the 256 clients identified in this category, assistance was provided to 21 apprentices and trainees in taking their matter to the SAIRC.

The most commonly raised matters by clients in this category related to:

- the terms and conditions of the training contract such as termination, suspension or other variations to the contract
- wages and other working conditions such as breaks, supervision and support for training
- processes for lodging formal complaints

**Domestic Students**

This category captured information which related to the delivery or administration of training by a provider registered to deliver nationally accredited training as outlined in Part 3 of *the Act*. It also included Adult Community Education, schools delivering vocational education and training and domestic students studying at Universities.

The most commonly raised matters by this group of 136 clients related to:

- commercial arrangements between a provider and student
- academic results, assessment and support for training
- accessing a Training Provider’s complaint process

One enquiry was received about Adult Community Education.

**General Training matters**

This category captured information which related to a variety of other areas of the training and employment system. This included skills recognition programs, employment programs and access to funding for example.

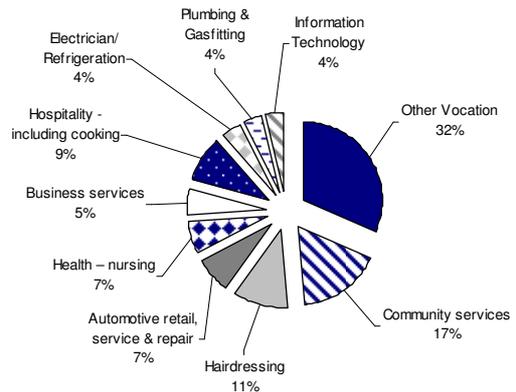
The most common questions asked by the 80 clients identified in this category related to:

- training programs and course content
- funding options available for training
- explanation of regulatory arrangements

Of the 599 clients who identified their vocation of study (*Figure 6*), the majority were in Community services, Hairdressing, Automotive retail, service & repair, Health, Business services and Hospitality (including cooking).

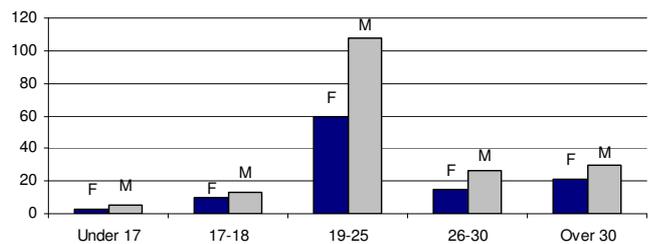
The section identified as ‘other vocations’ comprises some 46 vocations where less than 20 enquiries or complaints were received in each of these vocations.

**Figure 6. Vocations  
2009 Calendar Year**



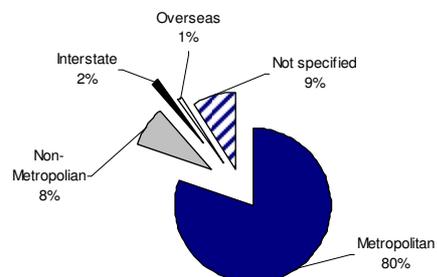
Of the number of clients who elected to nominate their age, the majority (58%) fell in the 19 – 25 year age bracket. In addition, the majority in each age group were male (*Figure 7*).

**Figure 7. Gender by Age Group  
2009 Calendar Year**



The information captured relating to geographical region indicates that requests for assistance are also received from clients living overseas and interstate (*Figure 8*).

**Figure 8. Geographical Region  
2009 Calendar Year**



In summary, of the 706 clients assisted, 75% of matters were finalised. The remaining 25% of client cases required continued management in 2010.

## Report on Functions

This section provides a summary of the 2009 activities against each Clause in the *Charter of Functions (the Charter)*.

It should be noted that any information provided to, or requested from, a prescribed authority in the course of carrying out these functions complies with s.72 (1) and (4) of the *Training and Skills Development Act 2008 (the Act)*.

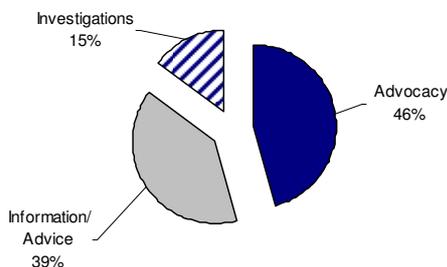
### Clause 1 - Promotion of employment, education and training

The Training Advocate attended a range of meetings and functions designed to promote the benefits of education and training. A summary of these are provided on pages 9-11 of this report.

### Clause 2 - Independent complaint handling

The following diagram identifies the types of action taken to assist clients with a complaint. It demonstrates that the majority of clients required specialist advice, information or advocacy to assist them address their particular matter (*Figure 9*).

**Figure 9. Complaints under Clause 2 of Charter  
2009 Calendar Year**

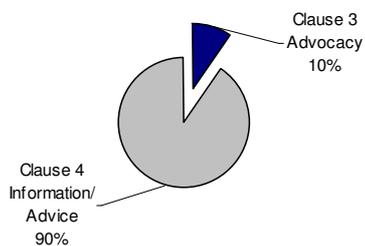


### Clause 3 - Advocacy and Clause 4 – Information and Advice

The following diagram identifies the types of action taken to assist clients with an enquiry.

It demonstrates that the majority of clients required specialist advice and information to assist them address their particular matter (*Figure 10*).

**Figure 10. Enquiries under Clauses 3 and 4 of  
Charter  
2009 Calendar Year**



### Clause 5 - Monitoring the training system

Analysis of information received through consultation with clients raises an awareness of potential compliance matters or emerging system issues which may impact on the quality and responsiveness of the system.

This provides an opportunity to bring such matters to the attention of the relevant agency or regulatory body for action, or where appropriate, make recommendations for legislative change.

In 2009, no recommendations for legislative change were made. However, the following matters were identified for attention.

#### International Education

It became apparent that there were inconsistencies in the standard of administration of international education programs delivered by a small number of providers. This appeared to stem from confusion about implementing aspects of the *Education Services for Overseas Students Act 2000* in the following areas:

- applying the correct procedure when a student seeks to vary an enrolment. In particular to ensure that the student understands the options available (*withdrawal, release, transfer and cancellation*) and the visa and/or financial implications of each option
  - documenting complaints, monitoring and recording class attendance, course progress or actions taken to provide students with support and/or counselling
  - monitoring the accuracy of information issued by a provider's off-shore agents and other marketing materials
  - managing a student's work placement when required by the qualification including monitoring worksite conditions and supervision
- The Taskforce on Enhancing the Overseas Student experience in Adelaide commissioned by the Minister for Employment, Training and Further Education and chaired by W T Spurr - *participation on the Taskforce*
  - The Premier's Reference Group Roundtable - Encouraging and Promoting Social Integration for International Students in South Australia – *roundtable participation*
  - The Council of Australian Governments (COAG) Working Group on the International Student Strategy for Australia through the Department of the Premier and Cabinet - *consultations*

In this regard, it is anticipated that the outcome of this work will have a positive impact on the future of international education in Australia.

In addition, there was confusion about a provider's eligibility to deliver short courses to international students, when these are additional to their approved course of study.

These issues were brought to the attention of the Department of Further Education, Employment, Science and Technology (DFEEST) to ensure that students would not be disadvantaged and that all providers could meet their legislative requirements.

In response, DFEEST has taken action to ensure that all training providers are aware of their responsibilities in relation to the administration and delivery of international education. These aspects are continuing to be monitored by DFEEST.

In 2009 there was also an opportunity to represent the views of our clients at a state and national level through the following:

- The Honourable Bruce Baird AM - the *Education Services for Overseas Students Act 2000 Review - consultations*
- The Senate Inquiry into the Welfare of International Students, conducted by the Education, Employment and Workplace Relations References Committee - *input into Education Adelaide's submission*

#### Apprenticeships and Traineeships

During 2009, the Training and Skills Commission consulted with the Training Advocate in relation to the development of guidelines for:

- Apprenticeship and Traineeship Supervision Ratios in South Australia; and
- Australian School Based Apprenticeships.

The draft Supervision Ratio guidelines were supported in that these provided improved protections for young people. It was also suggested that the guidelines provide clarity about the role of supervisors as clients have expressed confusion about their understanding of this role and how supervision is monitored by Government.

With respect to Australian School Based Apprenticeships, the response included support for the formal OHS&W induction program. It was also suggested that the induction could incorporate other relevant information such as new workers' rights and responsibilities and more detailed information about the terms and conditions of the training contract.

## **Clause 1 - Promotion of employment, education and training**

The following provides a summary of key events attended by the Training Advocate and other staff in 2009:

2<sup>nd</sup> National Complaints Benchmarking Workshop - Guest Speaker

National Centre for Vocational Education Research (NCVER) Research on Toast 'Poaching ideas from lessons in VET from UK and Europe' - Participant

Skills Recognition Services Industry Networking Function hosted by the Minister for Employment Training and Further Education - Participant

Australian Council for Private Education and Training (ACPET) Information Session for Providers - Key Note Speaker

The National Careers and Employment Expo 2009 - Exhibitor

Training and Skills Commission May 2009 meeting – Presenter

Official Opening of the TAFESA Morphettville Campus involving the South Australian Jockey Club (SAJC), Thoroughbred racing SA, Government of SA and TAFESA - Guest

Launch of Youth@Work (SafeWork SA initiative) by the Minister for Industrial Relations - Guest

Committee of Economic Development of Australia - Higher Education Review Presentation - Attendee

TAFESA Network Executive - Guest Speaker

Australia Education International (AEI) Study in Australia 2010 National Briefings – Attendee

International Education Provider Seminar hosted by DFEEST – Guest Speaker

Lead Centre for TAFESA Hospitality Tourism and Food Studies Industry Launch - Guest

ACPET International Education Forum - Co-host with ACPET and Education Adelaide

Education Adelaide – Senate Report on the Well Being of International Students - Consultation

Taskforce on Enhancing the Overseas Student Experience in Adelaide - Taskforce Member

Adelaide City Council (Youth Group Annual General Meeting) at the Second Story Youth Health Service - Guest speaker

The Council of Australian Governments (COAG) Working Group on the International Student Strategy for Australia through the Department of the Premier and Cabinet - Consultation

International Education Workshop hosted by the Quality and Tertiary Education Policy Directorate DFEEST - Participant

Induction Pilot Program for Overseas Students - Roundtable discussions with ACPET, DFEEST, Education Adelaide, International Student Advisers' Network of Australia (ISANA) - Participant

Networking Reception (ISANA, Education Adelaide, ACPET) – Working Together for the Well Being of Overseas Students – Socialisation, Social Inclusion, Safety - Guest Speaker

South Australian Training Awards 2009 - Guest

Industry Skills Boards Meeting - Guest Speaker

Cross Agency Support Services for International Education hosted by DFEEST - Participant

International Education Registered Training Providers Breakfast Forum hosted by Adelaide City Council, with panel presentation comprising DFEEST, ACPET, Education Adelaide, Department of Trade and Economic Development and Training Advocate - Panellist

Premier's Reference Group Roundtable Discussion - Encouraging and Promoting Social Integration for International Students (Workshop of the International Students' Social Integration Reference Group) - Participant

The Hon Bruce Baird AM – *Education Services for Overseas Students (ESOS) Act 2000 Review* - Consultations

Reception for the Consul General of India hosted by Education Adelaide - Guest

Launch of AC Arts New Partnerships in Arts Training hosted by the Minister for Employment Training and Further Education - Guest

ISANA Conference– 'Looking beyond 2009 – International Education and our role as Providers' - Panellist

New Workers' Reference Group comprising Equal Opportunity Commission, SafeWorkSA, Young Workers' Legal Service (SA Unions), Employee Ombudsman, FairWork Ombudsman, Traineeship and Apprenticeship Management (DFEEST) – Committee Member

*New Workers Program* – co-presenter to the following schools

- Tatachilla College
- Kadina High School
- Walford Anglican School for Girls

SA Unions - Empowering and Protecting Young People at Work Workshop followed by Young Workers' Legal Service (YWLS) Launch of Annual Report - Participant

Working Women's Centre 30th Birthday – Guest

Official opening of new ACPET Adelaide Offices - Guest

Official opening of a range of new Registered Training Organisations and training facilities - Guest

Bridging with Students from the Middle East hosted by ISANA South Australia branch - Participant

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 Workshop - Participant

Orientation and Induction Sessions for international students for a range of Registered Training Organisations - Presenter

Department of Immigration and Citizenship (DIAC) Information session hosted by DFEEST - Participant

Australian Homestay Network Forum 2010 - Participant

Provider Registration and International Students Management System (PRISMS) reporting workshop - Participant

Information Session - *Education Services for Overseas Students - A Marriage of Legislation, the ESOS Provider and the International Student* — Participant

Working Arrangements for Traineeships and Apprenticeships Committee hosted by DFEEST – quarterly meetings of key stakeholders - Committee member

## The Office of the Training Advocate Information

The Office of the Training Advocate is located on the ground floor, 55 Currie Street, Adelaide with an entrance at Bus Stop W1.

Office hours are weekdays between 8.30am and 5.30pm. The toll-free telephone number, 1800 006 488, is also monitored after hours to respond to urgent messages.

The Training Advocate can be contacted at [trainingadvocate@sa.gov.au](mailto:trainingadvocate@sa.gov.au)

The website can be accessed at [www.trainingadvocate.sa.gov.au](http://www.trainingadvocate.sa.gov.au)

The Training Advocate is supported by an Investigations Officer, an International Student Adviser and a Client Information Officer. These officers carry functions under delegated authority in accordance with s.23 of the *Act*.

In supporting clients with their questions or concerns about the training system, clients can expect a service that is:

- **accessible**
- *easy to use and free*
- **equitable**
- *fair and respectful*
- **responsive**
- *individually tailored and confidential*
- **effective**
- *achieves the best possible results*
- **communicative**
- *educative and informative*
- **accountable**
- *taking responsibility for actions*

To enable access to the services of the Training Advocate other support can be provided including:

- TTY (through the National Relay Service)
- counter hearing system phone for the hearing impaired
- Auslan interpreters
- interpreting and translating
- consultation at an alternative location (including rural locations) where appropriate

A confidential client register has been developed as a mechanism to manage complaints and enquiries lodged with the Training Advocate. This register captures comprehensive information that relates to the functions of the Training Advocate. It also facilitates the ability to identify emerging patterns or trends associated with the training system.

The Department of Further Education, Employment, Science and Technology provides the resources required for the Office of the Training Advocate to function.

### Financial Statement

The financial report for the Office of the Training Advocate is incorporated within the Department of Further Education, Employment, Science and Technology's financial statement audited by the Auditor-General's Department and published for the South Australian Parliament.

### Freedom of Information

The Office of the Training Advocate received no formal requests under the *Freedom of Information Act 1999*, in 2009.

# CHARTER

# Office of the TRAINING ADVOCATE



Government of South Australia  
Office of the Training Advocate

## Charter establishing the Training Advocate's functions under the *Training and Skills Development Act 2008*

The office of the Training Advocate is established under section 18 of the *Training and Skills Development Act 2008* (the Act). The Training Advocate is an independent statutory authority charged with the functions set out in this Charter in accordance with section 21 of the Act.

The functions are designed to enhance consumer protection by improving access and effective participation in employment and skill formation opportunities, and to contribute to strategies which raise the quality and responsiveness of the training system in South Australia.

This Charter refers to the "training system" which, consistent with the Act, comprises higher education, vocational education and training (including apprenticeships and traineeships), adult community education and education services for overseas students.

An expression defined in the Act that is used in this Charter has the same meaning as in the Act.

### Functions

The Training Advocate has the functions set out under the following 5 clauses:

#### Clause 1. Promotion of employment, education and training

**The Training Advocate will:**

- 1.1 promote the benefits of higher education (other than that provided by a State University as defined in the Act), vocational education and training and adult community education in the State;
- 1.2 promote the development of employment and skills formation policies and procedures.

#### Clause 2. Independent complaint handling process

**The Training Advocate will:**

- 2.1 provide an independent complaint handling process and investigate complaints (other than those deemed to be trivial or vexatious) relating to the provision of higher education, vocational education and training, education services for overseas students, adult community education and training contracts.

- 2.2 work to resolve matters arising out of:

- 2.2.1 the delivery of education and training; and/ or
- 2.2.2 apprenticeships and traineeships under Part 4 of the Act

The independent complaint handling process may include:

- the investigation of a complaint;
- the negotiation and mediation of matters arising out of a complaint;
- reporting the outcome of any such process

Clients may include:

- participants or prospective clients of education and training providers;
- training providers;
- apprentices or trainees;
- employers

**The Training Advocate may:**

- 2.3 under an agreement entered into with a provider of education services registered under the Education Services for Overseas Students Act 2000 of the Commonwealth:
  - 2.3.1 provide an independent complaint handling process;
  - 2.3.2 investigate complaints;
  - 2.3.3 make recommendations in relation to complaints;

relating to the provision of education services to the clients of the provider.

#### Clause 3. Advocacy

**The Training Advocate may:**

- 3.1 speak for and negotiate on behalf of education and training providers and clients (and prospective clients) of education and training providers in the resolution of any matters arising out of the delivery of education and training;
- 3.2 speak for and negotiate on behalf of an employer or an apprentice/ trainee in the resolution of any matters arising under Part 4.

#### Clause 4. Information and advice

**The Training Advocate will:**

- 4.1 provide information and assist people to navigate the training system in South Australia;
- 4.2 give advice on the powers that may be exercised in relation to matters arising under the Act.

#### Clause 5. Monitoring the training system

**The Training Advocate will:**

monitor the administration of the Act and make recommendations (if any) for legislative change.

### Authority

Part 5, and sections 72 and 73 of the Act provide the Training Advocate with powers necessary to enable the Training Advocate to carry out the functions given by this Charter, including powers to obtain information, question people, require records or documents and inspect any premises.

### Administrative Guidelines

The Training Advocate publishes guidelines that support the implementation of the functions. See [www.trainingadvocate.sa.gov.au](http://www.trainingadvocate.sa.gov.au)

### Reporting

Section 25 of the Act requires the Training Advocate, on or before 31 March in each year, to provide the Minister with a report on the Training Advocate's activities for the preceding calendar year. This report will be tabled in Parliament.

The Training Advocate and the Training and Skills Commission have been consulted in the preparation of this Charter in accordance with section 21(1) of the Act.

This Charter will come into force and be binding on the Training Advocate on 4 September 2008.

**The Hon Paul Caica, MP**

Minister for Employment, Training and Further Education