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OSCAR INSTITUTE

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RTO :21118

# **Legislation Policy and Procedure**



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## Legislation Policy and Procedure

### Purpose

To outline our commitment as a Registered Training Organisation (RTO) to comply with legislative and regulatory requirements, ensuring operations are conducted with integrity and transparency, with a learner-centred focus.

### Scope

This policy applies to:

- All staff members, learners, and clients; and
- All training and assessment services, support and administrative functions, and business operations.

### Responsibilities CEO

- Ensures and monitors compliance with legislation, regulations and Standards for RTOs.
- Oversees risk management strategies and governance strategies.

### RTO Manager

- Conduct induction and refresher training for staff on legislative and regulatory requirements.
- Implement updates and communicate changes to stakeholders.

### All Staff

- Stay informed of legislative, regulatory and policy updates.
- Attend mandatory training.
- Adhere to compliance standards in daily operations.

### General Principles

As an RTO, oscar institute is committed to:

- Complying with Standards for RTOs and all relevant legislative and regulatory requirements.
- Adopting a proactive risk management approach to identify, assess, and mitigate compliance risks.



- Fostering a culture of integrity, accountability, and continuous improvement.
- Ensuring all staff are educated and trained on legislative and regulatory requirements relevant to their roles.
- Maintaining transparency by communicating operational, legislative and regulatory changes to learners, clients, and staff in a timely manner.
- Staff, learners, and clients will be informed of any relevant changes to our operations, services, or legislative requirements:
  - o At least 5 business days before implementation.
  - o Where immediate compliance is required, affected stakeholders will be notified as soon as practicable, within 5 business days of the change taking effect.
  - o Communication methods may include e-mail, website updates, staff and student notices, or meetings.

### **Compliance**

This policy aligns with Standards for RTOs 2025:

- Standard 4.1 – The RTO operates with integrity and is accountable for the delivery of quality services.
- Standard 4.2 – Roles and responsibilities are clearly defined and understood.
- Standard 4.3 – Risks to VET students, staff and the RTO are identified and managed.
- Standard 4.4 – The RTO undertakes systematic monitoring and evaluation to support the delivery of quality services and continuous improvement.
- Compliance Requirements – compliance with other requirements.

Failure to comply with this policy can have serious consequences, including but not limited to:

- For the RTO – breaches of legislation or regulatory requirements may result in financial penalties, loss of registration, or regulatory enforcement actions, and reputational damage.
- For Staff Members – staff found to have knowingly or negligently failed to comply with this policy and any associated legislative or regulatory requirements may face disciplinary actions.



- For Learners and Clients – non-compliance could lead to disruptions in training and assessment services, invalid qualifications or compromised learning outcomes, potentially affecting future employment opportunities.

### **Continuous Improvement**

- An internal audit is to be conducted at least once per year to assess our compliance with this policy and the relevant legislative and regulatory requirements. The audit schedule is outlined in our Continuous Improvement Schedule and areas for improvements are documented in our Continuous Improvement Register.
- Feedback from staff, learners, clients and industry stakeholders will be used to inform improvements to compliance processes and the effectiveness of our operations.

### **Related Documents**

- Continuous Improvement Register
- Continuous Improvement Schedule

### **Relevant Legislation**

The following legislation affects our business functions, particularly the delivery of our training and assessment services:

#### **Commonwealth**

- A New Tax System (Goods and Services Tax) Act 1999
- Age Discrimination Act 2004
- Australian Education Act 2013
- Australian Human Rights Commission Act 1986
- Competition and Consumer Act 2010
- Corporations Act 2001
- Copyright Act 1968
- Disability Discrimination Act 1992
- Disability Standards for Education 2005
- Education Services for Overseas Students Act 2000
- Fair Work Act 2009



- Higher Education Support Act 2003
- National Vocational Education and Training Regulator Act 2011
- National Vocational Education and Training Regulator Amendment Act 2020
- National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020
- National Vocational Education and Training Regulator (Financial Viability Risk Assessment Requirements) Instrument 2021
- Privacy Act 1988
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Spam Act 2003
- Standards for Registered Training Organisations 2025
- Statutory Declarations Regulations 2018
- Student Identifiers Act 2014
- Student Identifiers (VET Exemptions) Instrument 2021
- Telecommunications (Interception and Access) Act 1979
- Tertiary Education Quality and Standards Agency Act 2011
- Work Health and Safety Act 2011
- VET Student Loans Act 2016

### **New South Wales**

- Anti-Discrimination Act 1977
- Child Protection (Working with Children) Act 2012
- Children and Young Persons (Care and Protection) Act 1998
- Fair Trading Act 1987

### **Victoria**

- Australian Consumer Law and Fair Trading Act 2012



- Child Wellbeing and Safety Act 2005
- Equal Opportunity Act 2010
- Working with Children Act 2005