

Policy Name:	Eligibility
Policy No.	E3.0
Issued:	20 March 2023
Reviewed:	

Purpose

To advise prospective learners of eligibility requirements to study with HITsa.

Areas Affected

Prospective learners

General

VISA Holders

Internationals with permanent visas, protective visas and most temporary visas (including provisional and most bridging visas) have unrestricted study entitlements in Australia. However, **student visa holders** must only enrol in CRICOS courses and comply with the conditions of their visa. Subclass 500 student visa is the most common form of student visa.

CRICOS stands for the Commonwealth Register of Institutions and Courses for Overseas Students.

This register lists all ESOS providers approved to train overseas students, the courses they offer and the approved locations for those courses. ESOS (Education Services for Overseas Students) providers are training providers that offer courses to overseas students. 'Overseas students' means people who hold a student visa to study in Australia, issued by the Australian Government.

ESOS registration is required to deliver training to overseas students, other than for exempt courses.

HITsa is not an ESOS provider, so cannot accept student visa holders to undertake accredited **qualifications**.

HITsa does deliver courses which do not require ESOS registration. These are considered "supplementary courses" that may be required for employment, or to develop a hobby or special interest to contribute and enrich a student's time in Australia. As a result, there is **no VISA restriction to enrolment** for the following –

- Responsible Service of Alcohol
- Provide responsible gambling services
- Use hygienic practices for food safety
- Participate in safe food handling practices
- Prepare and serve espresso coffee
- Conduct manual tasks safely
- Provide First Aid
- Provide First Aid in an Education and Care Setting
- Provide cardiopulmonary resuscitation
- Comply with infection prevention and control policies and procedures
- Apply infection prevention and control procedures to own work activities

<https://www.asqa.gov.au/cricos/what-esos-provider>

<https://www.education.gov.au/international-education/resources/supplementary-courses-instrument>

The Department of Home Affairs will issue visas electronically and informs students via email of the class, subclass and conditions of the visa. Visas are not usually evidenced in passports. HITsa will require evidence of VISA status to enrol students into accredited training that is not listed as a supplementary course.

With the VISA Holder's permission, HITsa will confirm a VISA Holder's eligibility for training using VEVO (Visa Entitlement Verification Online). This system allows visa holders, employers, education providers and other organisations to check visa details and conditions.

<https://online.immi.gov.au/lusc/login>

VISA Condition 8207 restricts the holder from undertaking any studies or training in Australia (other than supplementary courses). Applications by visa holders for all qualifications must be verified using VEVO.

VISA categories is a complex area. If in doubt about eligibility, staff should refer to the General Manager or Executive Officer.

Identification

General

ASQA does not prescribe any obligation to retain evidence of student identification. To meet compliance obligations, confirmation of a student's identity is done through the USI system. Students are required to provide personal information (i.e. photo ID, address, medicare, etc) that is confirmed by the USI register. RTOs are not required to maintain copies of students' ID on file (electronic or paper based), just to confirm that this evidence was sighted.

HITsa must comply with RTO Standard 3.6 which relates to HITsa's participation in the USI (Unique Student Identifier) scheme.

HITsa's verification of an existing USI, or application for a new USI will occur at enrolment, with consent from the student. Consent is provided as a term of the student's enrolment form.

USIs can be created or verified online -

<https://www.usi.gov.au/providers>

HITsa Will need to sight photographic ID at the time of enrolment to confirm the student presenting matches the USI record. The document number(s) sighted will be recorded on the enrolment form, with a checkbox to confirm USI details have been verified against the ID evidence. The USI will be recorded along with details of the staff member completing the check.

State Government Subsidised Training

HITsa's Skills Agreement with South Australian Government requires us to collect and retain evidence of student's eligibility to access government subsidised training.

Not all training delivered by HITsa is subsidized by the State Government.

Strict eligibility checks and record keeping requirements are prescribed State funded training. These courses include

- Skill Sets
- Qualifications listed on the Government's Subsidised Training List - <https://providers.skills.sa.gov.au/subsidised-training-list>
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- Subsidised projects secured through HITsa being a party to s SKILLS AGREEMENT with the State Minister for Innovation and Skills

Eligibility is prescribed in Attachment 1, Clause 7 of the agreement

- 7.1 The Recipient acknowledges and agrees that only persons that meet the Participant Eligibility Criteria specified for a particular Funded Activity are eligible to participate in that Funded Activity.
- 7.2 Where Funded Activities are being delivered to Participants, the Recipient must conduct an assessment of the prospective Participant's needs and his or her willingness to complete the Funded Activity.
- 7.3 The Recipient must not provide Funded Activities to a prospective Participant if:
 - (a) the Recipient cannot meet the needs of the prospective Participant identified in an assessment;
 - (b) the prospective Participant does not have the willingness to complete the Funded Activity.
- 7.4 Where the Recipient has assessed a Participant as being suitable to participate in a Funded Activity, where applicable the Recipient must ensure that each Participant signs the appropriate form at commencement, completion or withdrawal as specified in Item 10 of the Funded Activities Annexure.
- 7.5 The Recipient must retain the signed forms referred to in clause 7.4.

Attachment 2, part B, clause 14 of the agreement prescribes further information obligations that must be acknowledged by the learner -

- 14.1 The Recipient must enter into a Participant Agreement with the Participant. The Participant Agreement must include the "Standard Enrolment Questions" published in the Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) VET Provider Collection Specifications and include declarations by the Participant that the Participant has:
 - (a) honestly and accurately provided information and evidence for the purposes of enrolment and eligibility;
 - (b) consented to the collection, use and storage of personal information by the Recipient;
 - (c) been informed by the Recipient that the enrolment may impact their future entitlement to government subsidised Training; and
 - (d) agrees to the conditions of access determined through the Upfront Assessment of Need.

Learner information is also required as evidence for HITsa's claims for payment.

- Evidence to support payment (attachment1, clause 17) / Complete and accurate records for each participants (attachment 1, clause 17)

17. RECORDS

- 17.1 The Recipient must maintain full complete and accurate records about the Funded Activities delivered under this Agreement.
- 17.2 Where Funded Activities are delivered to Participants, the Recipient must maintain complete and accurate records for each Participant which include the details of the Funded Activities provided to the Participant.
- 17.3 The Recipient must provide substantiating evidence of the eligibility assessment of the Participant undertaken under clause 7.2, to the Minister upon written request.
- 17.4 The Recipient must retain evidence in support of each payment of Funding that it claims from the Minister.
- 17.5 The Recipient must keep all records and other documentation required to be kept by the Recipient under this Agreement and under any other legislation or statutory instrument, for a period of:
 - (a) at least five (5) years after the later of the Expiry Date of this Agreement; or
 - (b) such longer period required by law.

What Evidence of Eligibility is Required?

Per HITsa's Skills Agreement, evidence of a participant's eligibility for subsidized training fees. Eligibility includes

- Willingness to complete the Funded Activity – completed through enrolment form and participant interview
- Assessment of Need – completed through enrolment form LLN, SARNI and participant interview
- Eligibility for any Participant Course Fee concession or exemption (Section 22 and 23)
- Any specific eligibility criteria specified in Item 8 of a funded activity annexure – example below:

All Participants must:

- reside or work in South Australia;

and

- be an Australian or New Zealand citizen; or
- be a permanent Australian resident; or
- hold a State sponsored visa on a pathway to permanent residency; or
- hold a humanitarian temporary visa of a class specified by the Minister from time to time;

and are

- aged 16 years or over, and not enrolled in school; or
- aged 16 years or over, enrolled in school and undertaking training through subsidised arrangements; or
- undertaking training through a Training Contract as an apprentice or trainee.

HITsa will prepare an eligibility checklist for each funded activity that will be used by CoOrdinators to collect complete records.

Documents must be retained for 5 years. Copies will be scanned and securely stored in HITsa's student management system. Secure storage and secure destruction will be in line with HITsa's data security policies. Participant consent to store these documents is obtained in the enrolment form.

Eligibility Documents

The following documents may be used to confirm eligibility.

Photographic Identification (to validate student presenting for study matches identification records and USI)

- South Australian driver's licence
- Passport
- Concession card

Evidence of residing or working in SA

- Contract of training (relevant for apprentices or trainees)
- Payslips
- Employment contract
- Verification of employment using current employer reference. HITsa must verify the authenticity of this evidence.

Evidence of citizenship

- Birth certificate
- VISA documents
- Medicare card
- Passport

USI will be required for all accredited training, per RTO Standards (above)

Principles of identification checks –

- Documents must be originals. Copies will not be accepted
- At least one document must include photographic identification
- If the student has had a change of name, evidence of this must also be provided if ID documents are presented with the student's prior name(s).

END

Date	Version	Amendment(s)
20.03.23		Original Document – Replaces HITP0078/2, HITP0071/10, HITP0064