

# Compliance - Annual Declaration on Compliance / Notification of Material Change / FIT and Proper Person Procedure

## Section 1 - Summary

(1) This procedure outlines the responsibility for and processes, involved in, providing an annual declaration on compliance and the reporting material change, including employment of executive officers, within the University to:

- a. the National Vocational Education and Training Regulator (Australian Skills Quality Authority — ASQA)
- b. the Tertiary Education Quality and Standards Agency (TEQSA)
- c. the [Department of Education](#) (Commonwealth Register of Institutions and Courses for Overseas Students — CRICOS)
- d. the Victorian Registration and Qualifications Authority (VRQA) and
- e. the Victorian Department of Education and Training (DET).

## Section 2 - Scope

(2) This procedure is applicable across the University's course delivery operations including when dealing with partnerships in Australia and offshore.

## Section 3 - Definitions

(3) Material change - Any changes in business ownership, financial status, legal name or type of legal entity, change of Principal Executive Officer (PEO), changes in course delivery sites, events that would affect the fit and proper status of Council members or key senior staff or corporate address, and new or expired third party arrangements.

(4) Fit and Proper Person - Declaration that is a requirement to ensure that persons who exercise a degree of control or influence over the management of education services are people with whom the public are likely to have confidence in their suitability to manage, or be involved with, an organisation that provides or assesses national qualifications. A declaration by the PEO must be made to the relevant regulatory body at the time of renewal of registration or when there is a change in the PEO.

## Section 4 - Policy/Regulation

(5) [Compliance Policy](#)

# Section 5 - Procedures

## Part A - Roles and Responsibilities

Roles	Responsibilities
Senior Executive Group (SEG)	Ensure any matter arising from his/her portfolio that requires notification of a material change to the regulator(s) is identified and reported to the Principal Executive Officer (PEO).
Vice Chancellor (VC)	Nominates and approves the Principal Executive Officer (PEO).
Deputy Vice-Chancellor, Vocational Education	Provide an Annual Declaration on Compliance to the VET Regulator.
Risk and Compliance	Review the Annual Declaration on Compliance and Notification of Material Change information in consultation with the PEO. Coordinate/develop applications for the Annual Declaration, Notification of Material Change and/or Fit and Proper Person Declarations to be made to the regulator(s). Maintain registers of - <ol style="list-style-type: none"><li>1. VU nominated and reported Principal Executive Officers (PEOs).</li><li>2. All Annual Declarations on Compliance as reported to the VET Regulator.</li><li>3. Notification of Material Change made to the regulator(s).</li><li>4. All Fit and Proper person Declarations made to the regulator(s).</li></ol>

## Part B - Procedures

(6) The members of the Senior Executive Group (SEG) have responsibility for ensuring that any matter within their portfolio that requires notification of a material change to the regulator(s) is identified and the information forwarded to the Risk and Compliance unit for reporting purposes.

(7) The Deputy Vice-Chancellor, Vocational Education is responsible for the Annual Declaration on Compliance to the VET Regulator.

(8) Any other staff member within the University that identifies a material change that may require notification to the regulator(s) is also required to contact the Risk and Compliance unit.

(9) Risk and Compliance will review the matter in accordance with the relevant regulatory requirements and, in consultation with the PEO, will determine whether the matter is to be reported to the regulator(s).

(10) Risk and Compliance is responsible for the coordination, development and reporting of the Annual Declaration on Compliance (VET), Notification of Material Change pro forma as required by the regulator(s).

(11) In preparing the Annual Declaration on Compliance, Notification of Material Change or Fit and Proper Person Declaration, Risk and Compliance will consult with relevant areas of the University and prepare documentation in accordance with requirements of the relevant regulator(s).

(12) Changes in PEO will be approved by the VC.

(13) On approval by the VC, Risk and Compliance is responsible for forwarding the declaration or notification to, and managing any further correspondence with or follow up action, required by the regulator(s).

(14) The PEO will inform the relevant university committees and wider university community of the Notification of Material Change to the regulator(s) and any subsequent outcome.

(15) Risk and Compliance will maintain a register of all Annual Declarations on Compliance, Notification of Material Changes and Fit and Proper Person Declarations made to the regulator(s).

(16) To ensure good governance practices are in place, Risk and Compliance will implement annual Fit and Proper Persons declarations for all members of the SEG and their direct reports , as well as VU Council members.

## **Section 6 - Supporting Documents and Information**

- (17) [Fit and Proper Person Requirements Declaration - ASQA](#)
- (18) [Notification of Change of Provider Details - ASQA](#)
- (19) [Notification of Material Change or Event - ASQA](#)
- (20) [Notification of Change to Accredited Course Ownership - ASQA](#)
- (21) [Third Party Service Notification form - ASQA](#)
- (22) [Material Change Notification Policy - TEQSA](#)
- (23) [Standards for Registered Training Organisations \(RTOs\) 2015 \(Cth\)](#)
- (24) [Tertiary Education Quality and Standards Agency Act 2011 \(Cth\)](#)
- (25) [Higher Education Standards Framework \(Threshold Standards\) 2021 \(Cth\)](#)

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	14th July 2015
<b>Review Date</b>	31st August 2019
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	14th July 2015
<b>Expiry Date</b>	19th December 2022
<b>Accountable Officer</b>	Lucy Franzmann Chief Financial Officer
<b>Responsible Officer</b>	Noni Clarkson Director, Risk and Compliance +61 3 99194774
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