



Government of **Western Australia**
Department of **Training**
and **Workforce Development**

APPRENTICESHIP AND TRAINEESHIP POLICY

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1 POLICY STATEMENT

The [Vocational Education and Training Act 1996 \(the VET Act\)](#) provides for the governance and regulation of the VET system in Western Australia.

Part 7 of the VET Act and *Vocational Education and Training (General) Regulations 2009* (the Regulations) cover the administration and regulation of apprenticeships and traineeships, which are structured employment-based training arrangements which occur under a training contract.

The *Apprenticeship and traineeship policy* supports the VET Act and Regulations by providing information and guidance to assist employers, apprentices, trainees and other stakeholders in the interpretation of the VET Act and Regulations.

2 SCOPE

This document outlines arrangements for the commencement, registration, variation and completion of the training contract for apprenticeships and traineeships.

The *Apprenticeship and traineeship policy* provides guidance for employers, apprentices/trainees, Australian Apprenticeship Support Network (AASN) providers, registered training organisations (RTOs), group training organisations (GTOs), mentoring services, the State Training Board, training councils, schools and employees of the Department of Training and Workforce Development (the Department).

Detailed operational procedures and program information are provided in separate fact sheets and documents located on the Department's website. Links and references are provided at relevant sections in this document.

The classification of qualifications for apprenticeships and traineeships is not within the scope of the *Apprenticeship and traineeship policy*. [Further information on classification processes can be found on the State Training Board website.](#)

It should be noted that employers and apprentices/trainees are also subject to relevant State and Commonwealth employment laws which are not covered within the scope of the *Apprenticeship and traineeship policy*.

3 PRINCIPLES

The *Apprenticeship and traineeship policy* aims to support an apprenticeship and traineeship system that:

- provides a high quality employment based training experience for apprentices/trainees and employers;
- produces qualified and skilled workers who contribute effectively in the workplace;
- is responsive to current and emerging industry needs;
- is effectively and efficiently managed and administered; and
- acknowledges the roles and responsibilities of all parties involved in the training arrangement.

4 BACKGROUND

The intent of the VET Act and Regulations is to ensure and preserve the quality of the employment-based training arrangement in WA; and protect the rights and specify the obligations of the parties to the training contract.

5 DEFINITIONS

Apprentice – A person aged 15 years¹ or more who is undertaking an apprenticeship, traineeship, cadetship or internship that leads to a nationally recognised qualification. This term refers to apprentices, trainees, cadets and interns. Apprentices are employed under a training contract.

Apprenticeship – A structured employment-based training program that leads to apprentices gaining a nationally recognised qualification. Apprenticeships may be full time, part time or school-based. Apprenticeship qualifications are listed on [the Public register of prescribed vocational education and training qualifications](#).

Apprenticeship Office – A branch of the WA Department of Training and Workforce Development which administers and regulates training contracts under Part 7 of the VET Act and related Regulations.

Australian Apprenticeship Support Network (AASN) provider – A service provider contracted by the Australian Government to provide support services to employers and apprentices/trainees including arranging for the signing and lodgement of the training contract, advising and administering Australian Government financial incentive payments, job matching and recruitment of apprentices/trainees, and support and mentoring throughout the training contract.

Australian Qualifications Framework (AQF) – The framework for all nationally recognised qualifications in secondary education, vocational education and training, and higher education.

Casual employment – Characterised as an employment arrangement where an employee has no guaranteed hours of work; usually works irregular hours; does not get paid sick or annual leave; and can end employment without notice, unless notice is required by a registered agreement, Award or employment contract. [Further information on casual employment is available at the Fair Work Ombudsman website](#).

Class A qualifications – Qualifications which can only be obtained under a training contract or via recognition of prior learning. These qualifications are identified on the public register.

Class B qualifications – Qualifications which can be obtained under a training contract, through institutional training or via recognition of prior learning. These qualifications are identified on the public register.

Class B restricted qualifications – Qualifications that can be obtained through institutional training by onshore international students, or through a training contract, or through recognition of prior learning for domestic students. These qualifications are identified on the public register.

¹ A child under the age of 15 may be employed as an apprentice under certain conditions, as outlined in 6.2.1.1.

Class C qualifications – Qualifications which can only be obtained via institutional training. These qualifications cannot be undertaken under a training contract.

Employer – A person, agency or organisation who engages workers under a contract of employment or apprenticeship/traineeship scheme. This term also includes group training organisations.

Existing worker – A person employed with the same employer continuously for more than three months full time or 12 months casual or part time, or a combination of both, immediately prior to the commencement date of the training contract.

Group training organisation (GTO) – An organisation that manages the employment and training of apprentices/trainees under contracted work-based arrangements for the purpose of hosting those apprentices/trainees out to other employers.

Institutional training – Accredited training through a provider, which is undertaken by study only as compared to an apprenticeship/traineeship pathway which takes place under a training contract and includes employment-based training.

Modern Awards – Legal documents that outline the minimum pay rates and conditions of employment. Modern Awards apply to all employees covered by the national workplace relations system. [Further information about Modern Awards is available from the Fair Work Ombudsman website.](#)

Note: some apprentices/trainees within WA are covered by the State Award system. [Further information about State Awards is available from the Department of Mines, Industry Regulation and Safety website.](#)

New entrant – A person employed within an enterprise for not more than three months full time or 12 months part time or casual, or any combination of the above, for a continuous period not exceeding 12 months.

Nominal duration/term – The length of time that an individual is expected to take to complete a training contract. The nominal duration for an apprenticeship/traineeship is identified on the public register.

Nominated training provider – The registered training organisation selected by the employer and the apprentice/trainee to deliver training and assess the apprentice/trainee.

Part time apprenticeship/traineeship – The public register identifies apprenticeships/traineeships that are permitted to be part time. Part time apprenticeships/traineeships are only available where the industrial instrument supports part time employment. The public register identifies the minimum hours per week that an apprentice/trainee must spend in employment and training.

Preferred provider panel – Registered training organisations which are contracted by the Department of Training and Workforce Development to deliver funded vocational education and training in WA.

Public register – The [Public register of prescribed vocational education and training qualifications](#) is required under legislation and provides a complete listing of all apprenticeship/traineeship qualifications recommended by industry and endorsed by the Minister, for delivery in WA.

Qualifications are listed as either Class A or Class B depending on industry's requirements for how training should be delivered. The public register also identifies any conditions that may be specified by the Minister.

Recognition of prior learning (RPL) – A competency-based assessment process used to determine the extent to which an individual's previous knowledge, skills and work experience is equivalent to the learning outcomes specified in a training package or accredited course. Registered training organisations offer recognition of prior learning to all students under the *Standards for registered training organisations 2015*.

School-based apprentice or trainee – A full time school student aged 15 years or more who is studying towards achievement of the Western Australian Certificate of Education (WACE) and undertaking a prescribed Class A or Class B qualification under a training contract. School-based apprentices and trainees are considered to be in part time training because they are also required to attend school.

Self employment – When an individual works for themselves rather than for an employer.

Trade certificate – Issued by the Department of Training and Workforce Development to eligible individuals who have achieved a Class A or Class B qualification with the training type 'apprentice'. A trade certificate is issued in addition to an Australian Qualifications Framework (AQF) certificate.

Trade skills recognition (TSR) – A process whereby individuals are assessed against the requirements of Class A or Class B apprenticeship qualifications for their eligibility to be issued a trade certificate.

Trainee – Under the VET Act the term 'apprentice' also refers to 'trainee'. Trainees are employed under a training contract.

Traineeship – A structured employment-based training program that leads to the trainee gaining a nationally recognised qualification. Traineeships may be full time, part time or school-based. Traineeship qualifications are listed on [the Public register of prescribed vocational education and training qualifications](#).

Training contract – A legally binding agreement between an employer, an apprentice/trainee and their legal guardian, where required, to undertake an apprenticeship/traineeship.

The contract contains information such as employment arrangements, and specifies employer and apprentice/trainee obligations and responsibilities. Training contracts are registered with the Department's Apprenticeship Office.

Training packages – Specify the skills and knowledge required by industry to operate effectively in the workplace. They are made up of three components, including units of competency, a qualifications framework and assessment guidelines.

Training plan – Outlines the training delivery and assessment strategy to be undertaken throughout the training contract. It is developed by the nominated registered training organisation in negotiation with the employer and apprentice/trainee.

VET Quality Framework – Nationally agreed quality assurance arrangements for training and assessment services delivered by registered training organisations.

6 PROCEDURES

6.1 Public register of apprenticeship and traineeship qualifications

The [Public register of prescribed vocational education and training qualifications](#) provides a complete listing of all apprenticeship/traineeship qualifications recommended by industry and endorsed by the Minister, for delivery in WA. Qualifications are listed as Class A or Class B (including restricted Class B) depending on whether they can be obtained under a training contract.

- Class A qualifications can only be obtained under a training contract.
- Class B qualifications can be obtained either through a training contract or through institutional training.

Information is also provided on other requirements which may have been specified by the Minister. Specified training contract requirements include:

- the nominal duration of the apprenticeship/traineeship;
- whether the qualification is available via a school-based pathway;
- whether the qualification can be completed on a part time basis;
- where applicable, the minimum part time hours; and
- any other conditions.

6.1.1 Restricted Class B qualifications

To accommodate institutional training for international students in some trades, some qualifications have a condition restricting institutional training to international students only. These qualifications are identified as 'restricted Class B' qualifications on the public register.

Domestic students can only achieve these qualifications through a training contract.

6.2 Employment-based training arrangements

Employment-based training in Class A and Class B qualifications occurs under a training contract that has the format shown in Schedule 1 of the Regulations.

The training contract is a legally binding agreement between the employer and apprentice/trainee and sets out the obligations for employers, apprentices/trainees and parent/guardian where apprentices/trainees are under 18 years of age. The rights and obligations in the training contract relate to the training arrangement. It should be noted that employers and apprentices/trainees are also subject to relevant employment laws and industrial instruments which are outside the scope of the *Apprenticeship and traineeship policy*.

Further information is provided in [forms and fact sheets relating to training contracts](#) available from the Department's website.

6.2.1 Eligibility for an apprenticeship/traineeship

A person wishing to undertake apprenticeship/traineeship training:

- should be at least 15 years of age (see exceptions below);
- must be an Australian citizen or hold an Australian visa that will support the employment and study arrangements specified in the training contract; and
- must be in or entering part time or full time employment with an employer (rather than being a casual employee or self employed).

6.2.1.1 Child under the age of 15

A child under the age of 15 may be employed as an apprentice/trainee under certain conditions. These conditions relate to the employment of a child and are set out in:

- the *Children and Community Services Act 2004*;
- the *School Education Act 1999*;
- the applicable industrial instrument; and
- any licensing requirements and/or other conditions of the qualification to be undertaken.

6.2.1.2 Temporary Work (Skilled) visa (subclass 457) and Temporary Skill Shortage visa (subclass 482) holders

The Australian Government issues primary 457 and 482 visas to allow approved businesses to employ skilled workers for a job that is identified on the list of eligible skilled occupations. It is a condition of the visa that the individual must have the skills required for the job as per the list of eligible skilled occupations. Given the Australian Government's visa conditions, the Department does not register training contracts for primary 457 and 482 visa holders.

Secondary 457 and 482 visa holders may be eligible to enter into an apprenticeship/traineeship if their visa is valid for the duration of the training contract.

Further information is provided in [the *Training contracts and visa holders fact sheet*](#) available from the Department's website.

For all other visa holders wishing to enter into a training contract please consult with an AASN provider or the Department's Apprenticeship Office.

6.2.1.3 Casual employees

The signing of a training contract entails a commitment by the employer and apprentice/trainee to a part time or full time employment arrangement for the duration of the training contract. This commitment is inconsistent with casual employment, therefore the Department is unable to register a casual employee as an apprentice/trainee.

Further information is provided in [the *Casual workers and apprenticeships fact sheet*](#) available from the Department's website.

6.2.1.4 Self employment

The employer and the apprentice/trainee in an employment-based training arrangement each has a distinct role and obligations, and both are required to reach agreement that the apprentice/trainee is competent before a training contract can be completed. For this reason the Department is unable to register apprentices/trainees who are self employed or employees of an entity where they are the sole director.

Further information about the obligations of parties to a training contract is provided in [the *Training contract obligations fact sheet*](#) available from the Department's website.

6.2.2 Lodgement of a training contract

AASN providers in WA are contracted by the Australian Government to provide support services for employers and apprentices/trainees, including providing assistance to complete the documentation required to lodge a training contract.

The AASN provider outlines the employer and apprentice/trainee obligations and responsibilities, can assist with choosing the appropriate qualification and a suitable RTO, and advises on Australian Government incentives (see 6.7.5).

The training contract needs to be lodged with the Department's Apprenticeship Office within 21 days of the apprentice/trainee commencing employment. The AASN provider typically lodges the training contract on behalf of the employer.

Further information on the role of AASN providers is provided in [the Roles and responsibilities fact sheet](#) available from the Department's website.

6.2.3 Registering training contracts

The Department's Apprenticeship Office assesses training contracts prior to registration, to ensure all legislative requirements are met and that a quality training arrangement is being put in place. Apprenticeship Office applies a risk-based approach to registration and may identify some training contracts that need further assessment. Aspects of the training contract that Apprenticeship Office will check may include:

- eligibility of the person wishing to undertake the apprenticeship/traineeship (see 6.2.1);
- alignment between the qualification and the intended occupation (see 6.2.3.1); and
- employer capacity to train.

6.2.3.1 Intended occupation during the training contract

The quality of an employment-based training arrangement depends on alignment and reinforcement between the on and off the job training. For this reason, the qualification chosen should align and be complementary with the work role to be carried out during the training contract.

The Department's Apprenticeship Office will register training contracts where the qualification aligns with the work role to be performed by the apprentice/trainee during the training contract.

Further information is provided in [Frequently asked questions – Training contract registration assessment](#), available from the Department's website.

6.2.4 Training plan

The training plan outlines the units of competency in the qualification and sets out the arrangements for on and off the job training and assessment.

The nominated RTO develops a training plan in negotiation with the employer and apprentice/trainee.

Training plans are to be signed by the employer, apprentice/trainee, RTO and parent/guardian where the apprentice/trainee is under 18 years of age, within six weeks of being notified by the Department's Apprenticeship Office that the training contract has been registered. The RTO then has 30 days to notify Apprenticeship Office that the training plan has been signed.

A new training plan should be developed when a training contract is varied, or the apprentice/trainee is assigned to a new employer (see 6.2.6). The new training plan is to be signed by all parties within six weeks of being notified that the variation is approved by Apprenticeship Office. There are additional requirements for school-based apprenticeships and traineeships (see 6.3.3).

Under the training contract, the employer agrees to release and pay the apprentice/trainee for the off the job training identified in the training plan.

Further information about training plans is provided in [the *Training plans fact sheet*](#) and [the *Changes to training plan requirements fact sheet*](#) available from the Department's website.

6.2.5 Supervision requirements

An employer should provide appropriate facilities and qualified personnel to support the training and supervision of an apprentice/trainee in the workplace. The apprentice/trainee to tradesperson/qualified person ratio may be identified in the applicable industrial award and differs across trade and occupational areas. Where applicable the supervisor should hold a current occupational licence as required for their industry.

6.2.6 Variations and other changes to training contracts

During an apprenticeship/traineeship, it may be necessary to make a variation to the training contract. The types of variations that can be made by agreement between the employer and the apprentice/trainee include a change to the qualification or the nominated RTO, the employment type (part time, full time or school-based), employment arrangement (agreement/Award) or an extension of the training contract.

Further information on variations to training contracts is provided in [the *Variation to a training contract fact sheet*](#) available on the Department's website.

A training contract may be assigned (transferred) from one employer to another or suspended for a period of time. [Training contract forms and fact sheets are available from the Department's website](#), including information about assignment (transfer) to a new employer and suspension of a training contract through agreement by parties or due to serious misconduct by an apprentice/trainee.

6.2.7 Duration of training contract and completion

Apprenticeships/traineeships are delivered under competency-based training, which means there is a nominal term rather than a fixed period of training. The nominal term indicates the expected length of time needed to complete the qualification.

The training contract is successfully completed when the RTO, the employer and the apprentice/trainee agree that the apprentice/trainee has attained all required competencies of the training plan. The RTO notifies the Department's Apprenticeship Office within 21 days after the training contract is completed, and will issue an AQF certificate when the training contract has been successfully completed.

The completion can be prior to the expiry date of the training contract (ie; the nominal term of the contract). A training contract may also be extended beyond the nominal term if both the employer and apprentice/trainee agree. Extension notices can only be considered by Apprenticeship Office before the expiry date of the training contract.

[Training contract forms and fact sheets are available from the Department's website](#), including information about completing and extending a training contract.

6.2.8 Competency-based wage progression

Under some Modern Awards, an apprentice may advance to the next wage level based on their achievement of competency. In some cases, an apprentice may have completed the relevant units of competency in a prior qualification. If the qualification was completed through institutional study, the apprentice may be required to demonstrate competency on the job before advancing to the next wage level.

When the training contract is signed, the employer will advise the apprentice which industrial instrument will cover the apprentice's employment. The training contract outlines the obligations for the apprentice and employer when the apprentice is subject to a Modern Award that has competency-based wage progression. The apprentice and employer can negotiate how much time is needed for the apprentice to demonstrate the competencies on the job, but it cannot be longer than nine months.

Further information is provided in [the *Competency-based wage progression and institutional training fact sheet*](#) available from the Department's website.

6.2.9 Ceasing a training contract before completion

Employers and apprentices/trainees should pay particular attention to events that may cause a training contract to cease before completion, as this will usually have significant implications for the apprentice/trainee's employment and completion of the qualification. If a training contract ceases, the apprentice/trainee will generally need to enter a new training contract with an employer to complete the qualification.

A training contract ceases and is no longer in effect if:

- its registration is cancelled by the Department's Apprenticeship Office;
- it is terminated by the employer or apprentice/trainee during the probation period;
- it is terminated by agreement between the employer and the apprentice/trainee; or
- the Department considers and approves an employer's application to terminate a training contract in cases where the apprentice/trainee does not consent to the termination; or
- the training contract expires, as the nominal term of the apprenticeship/traineeship is reached without the Department receiving notification that the apprentice/trainee has attained all the required competencies.

[Training contract forms and fact sheets are available from the Department's website](#), including information about termination of a training contract.

6.2.10 Suspension of a training contract

Suspension of a training contract allows the parties to 'break' the training obligations of the apprenticeship/traineeship for an agreed period of time. In some cases the apprentice/trainee may continue with their off the job training while the training contract is suspended.

Further information is available from the Department's website in [the *Suspension of a training contract by parties fact sheet*](#), and [the *Suspension of a training contract due to an apprentice's serious misconduct fact sheet*](#).

6.3 School-based apprenticeships and traineeships

School-based apprenticeships and traineeships provide young people with an opportunity to start their career while continuing with their schooling. School-based apprentices and trainees are considered to be in part time training because they are also attending school.

Further information is available [in the *School-based apprenticeships and traineeships fact sheet*](#) available from the Department's website.

6.3.1 Qualifications that can be delivered as school-based apprenticeships and traineeships

Qualifications are only eligible to be delivered as school-based apprenticeships and traineeships if this is indicated on the public register. The public register identifies any specific arrangements for a qualification, including the minimum hours of work and training for the school-based apprenticeship and traineeship.

Further information is provided in [the *School-based apprenticeships and traineeships: Minimum hours per week fact sheet*](#) available from the Department's website.

6.3.2 Student eligibility requirements

In addition to the eligibility requirements for apprenticeships/traineeships (6.2.1), a school-based apprentice or trainee is a full time school student who:

- is enrolled in a government or non-government school as defined in the *School Education Act 1999*;
- is aged 15 years or more (with exceptions; see 6.2.1.1);
- is undertaking an approved school-based apprenticeship or traineeship;
- has a registered training contract² with an employer; and
- will have the school-based apprenticeship or traineeship recognised on their WACE.

A student in a registered home education arrangement is ineligible to enter into a school-based apprenticeship or traineeship as they are not enrolled at a school and cannot meet the WACE requirements. However, a home-educated student can enter into a part time apprenticeship/traineeship arrangement. Conditions on the public register relating to school-based apprentices and trainees do not apply to home educated students.

Further information is provided in [the *Apprenticeship and traineeship options for home-educated students fact sheet*](#) available from the Department's website.

6.3.3 The role of the school

The school maintains a duty of care for the school-based apprentice and trainee, even when the training or work is outside normal school hours. For this reason, all school-based apprenticeship and traineeship arrangements must be endorsed by the apprentice/trainee's school. This ensures that the school is aware of the training requirements for the school-based apprenticeship or traineeship.

The RTO nominated in the training contract is responsible for seeking the school's endorsement of the training plan. The Department's Apprenticeship Office may cancel a training contract if the training plan is not endorsed by the school.

Further information on the role of the school in a school-based apprenticeship and traineeship is provided in [the *School-based apprenticeships and traineeships and changes to training plan requirements fact sheet*](#) available from the Department's website.

² School-based apprentices and trainees under 18 years of age require the signature of a parent/guardian on the training contract.

6.3.4 Continuing a training contract after compulsory education

A school-based apprenticeship and traineeship can be varied to either a part time or full time apprenticeship/traineeship if the training contract has not been completed when a school student's compulsory education period has ended (see 6.2.6).

6.4 Certification

6.4.1 AQF certificates

All individuals who have successfully completed an apprenticeship or traineeship will be issued an AQF qualification from the RTO. The qualification will include the words, "achieved through Australian Apprenticeship arrangements" and certifies that competency has been achieved to the standard required in the workplace, as specified in the training package.

AQF qualifications are nationally recognised and issued by RTOs under the *Standards for registered training organisations 2015*.

6.4.2 Trade certificate

In addition to the AQF qualification issued by the RTO, the Department's Apprenticeship Office will issue a trade certificate to an individual who has achieved a Class A or Class B apprenticeship qualification via:

- a training contract registered in WA; or
- an apprenticeship pathway outside WA where the qualification has been achieved in an employment-based training arrangement.

While AQF certificates are nationally recognised, trade certificates issued for apprenticeship qualifications in WA may not be recognised by other states/territories.

The Department may also issue a trade certificate to applicants under the trade skills recognition (TSR) process. Under TSR, a trade certificate will be issued when the qualification is:

- identified on the public register as a Class A or Class B apprenticeship qualification; and
- conferred through RPL by an RTO recognised by the Department as a TSR provider.

TSR providers include RTOs that are:

- funded by the Department for the apprenticeship qualification being assessed; or
- approved by the Department as providers of Trades Recognition Australia skills assessment.

The Department is unable to issue a trade certificate to an individual who:

- is an apprentice and yet to complete their training contract; or
- has completed the qualification through institutional training only; or
- is an international student; or
- has achieved an apprenticeship qualification through RPL using an RTO that is not recognised by the Department as a TSR provider.

Further information is available from the Department's website in [the *Eligibility for a Western Australian trade certificate fact sheet*](#), and [the *Applying for a Western Australian trade certificate via trade skills recognition fact sheet*](#), and [the *Applying for a Western Australian trade certificate by interstate tradespeople fact sheet*](#).

6.5 Funding, incentives and fees

The State and Australian Governments offer a number of programs to assist apprentices/trainees and their employers. These are outlined below.

6.5.1 Funding, fees and charges for training delivery

Apprenticeships/traineeships are considered a priority and are eligible for publicly funded training. State Government funding is demand driven and available on a user choice basis from the Department's preferred provider panel. The State Government only funds [existing worker traineeships](#) for higher level training in qualifications aligned with State priorities.

The Australian Government determines the definition of new entrant and [existing worker status](#) for its incentive program.

For the purposes of State Government funding, new entrant trainees completing a training contract are eligible to progress to a higher level qualification with the same employer but must enter into a new training contract within three months of the completion date of the first qualification. These trainees (including school-based) will continue to be classified as a new entrant and be eligible for subsidised training.

Further information on determining existing worker status is provided in [the Guidelines for determining existing worker status for training contracts fact sheet](#) available from the Department's website.

Information about funding and charges associated with apprenticeship/traineeship training can be found in [the Department's VET fees and charges policy](#).

6.5.2 Travel and accommodation allowance

Many apprentices/trainees are required to travel long distances to access the off the job training component of their apprenticeship/traineeship. Apprentices/trainees (or their employers) and RTOs have access to State Government financial assistance through the *Travel and accommodation allowance* (TAA), in recognition of these additional costs.

Financial assistance may be provided to:

- apprentices/trainees required to travel long distances to attend off the job training;
- lecturers who travel to deliver off the job training to a group of apprentices/trainees; and
- employers, where the Modern Award requires them to pay the apprentice/trainee travel and/or accommodation costs.

Information on eligibility and payment rates is provided in [the TAA procedures documents](#) available from the Department's website.

6.5.3 Jobs and Skills WA Employer Incentive

The Department's Jobs and Skills WA Employer Incentive provides payments to eligible employers for eligible apprentices and new entrant trainees under a training contract lodged with the Department's Apprenticeship Office from 1 July 2019. [Further information on the incentive is available from the Jobs and Skills WA website.](#)

6.5.4 Payroll tax exemption

The State Government provides an exemption from payroll tax for employers of apprentices under a training contract registered by the Department's Apprenticeship Office. [Further information is available from the Office of State Revenue's website.](#)

6.5.5 Australian Government incentives and support

The Australian Government may provide funding for apprentices/trainees through employer incentives and loans for apprentices/trainees.

[Further information on the support the Australian Government provides to apprentices/trainees and employers is available at the Australian Apprenticeships website](#) or from an AASN provider.

6.6 Ensuring quality training and fairness

6.6.1 Ensuring quality

For the most part, the parties to training contracts willingly comply with the legislative requirements and rectify any issues that are raised with them. In very rare cases, actions may need to be taken to investigate and remedy breaches of the legislation. The Department may investigate suspected breaches of legislation.

6.6.2 Complaints and appeals

If a person has a complaint regarding an apprenticeship, [it can be lodged online through the Department's website](#).

Employers and apprentices/trainees can appeal to the Western Australian Industrial Relations Commission (WAIRC) if dissatisfied with a decision made about their training contract. Further information on the appeal process is provided in [the Appeals on a decision made by the Department fact sheet](#) on the Department's website.

Concerns around unfair dismissal can be raised with the [Fair Work Commission](#) or the [WAIRC](#) depending upon award coverage.

7 RELATED POLICIES AND OTHER RELEVANT DOCUMENTS

- *Australian Qualifications Framework (second edition)*, Australian Qualifications Framework Council
- *Duty of care policy for minors attending TAFE colleges*, Department of Training and Workforce Development
- *Duty of Care for Public School Students*, Department of Education
- *General Direction – Learner Transition*, Australian Skills Quality Authority
- *Guidelines for the Establishment and Variation of Apprenticeships*, WA State Training Board
- *Joint Ministerial Statement on Vocational Education and Training in Schools*, Department of Training and Workforce Development and Department of Education
- *Out of School Learning and Training*, Catholic Education Commission of Western Australia
- *Preferred provider panel for apprenticeships*, Department of Training and Workforce Development
- *Public register of prescribed vocational education and training qualifications*, Department of Training and Workforce Development
- *Recognition of prior learning: an assessment resource for VET practitioners (fifth edition)*, Department of Training and Workforce Development
- *Transition and Teach Out Fact Sheet*, Training Accreditation Council
- *VET fees and charges policy*, Department of Training and Workforce Development
- *Vocational education and training in schools guidelines*, Department of Training and Workforce Development
- *Workplace Learning*, Department of Education

8 RELEVANT LEGISLATION

- *Vocational Education and Training Act 1996*
- *Vocational Education and Training (General) Regulations 2009*
- *Standards for Registered Training Organisations (RTOs) 2015*
- *School Education Act 1999*
- *Children and Community Services Act 2004*
- *Occupational Safety and Health Act 1984*
- *Occupational Safety and Health Regulations 1996*

9 REVIEW DATE

10 July 2020

10 CONTACT INFORMATION

For information relating to policy implementation, including apprenticeship/traineeship forms and fact sheets:

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