

Implementation of the Queensland Government's Regulator Performance Framework 2023–24: DESBT Performance Report

Introduction

The Queensland Government's Regulator Performance Framework (the Framework) is a key element of the Better Regulation Strategy.

The Framework consists of five model practices with each accompanied by three supporting principles that are intended to minimise the burden on regulated businesses, particularly small businesses, and individuals.

The Office of Productivity and Red Tape Reduction within Queensland Treasury since June 2021 (formerly the Queensland Productivity Commission), through the Office of Best Practice Regulation delivers the regulatory review function across government. This includes maintaining a [central repository](#) of all reports and being the central point of contact for inquiries relating to the Framework.

This is the 2023–24 annual performance report for the Department of Employment, Small Business and Training (DESBT) demonstrating implementation of the Framework. The scope of this report relates to regulating and administering apprenticeships and traineeships in Queensland under the [Further Education and Training Act 2014](#) (FET Act).

Apprenticeships and traineeships are important to Queensland's current and future economic prosperity which depends on the availability of a skilled workforce. Apprenticeships and traineeships are entered into voluntarily by employers and apprentices/trainees with the intention of the apprentice/trainee gaining skills and abilities necessary to achieve a completion certificate issued under the FET Act.

While there are provisions in the FET Act which provide a supportive framework, the provisions function in conjunction with non-legislation based administrative activities, funding arrangements managed by both the Australian and state governments, and the compliance activities of regulators such as the Australian Skills Quality Authority (national regulator for vocational education and training). Additionally, employment related matters are addressed outside the apprenticeship and traineeship system through either Fair Work Australia or the Queensland Industrial Relations Commission.

Report structure

In the table below, the first column sets out five model practices which support the Regulator Performance Framework. The following columns (left to right), include examples of how DESBT's regulatory practices align with the regulator model practices and the contextually related improvement actions taken.

Regulator model practices and supporting principles	Alignment of DESBT regulatory practices with the regulator model practices throughout 2023-24	DESBT actions taken in 2023-24 or ongoing activities taken to improve regulatory activities and business practices.
<p>1. Ensure regulatory activity is proportionate to risk and minimises unnecessary burden.</p> <ul style="list-style-type: none"> • A proportionate approach is applied to compliance activities, engagement, and regulatory enforcement actions. • Regulators do not unnecessarily impose on regulated entities. • Regulatory approaches are updated and informed by intelligence gathering so that effort is focussed towards risk. 	<ul style="list-style-type: none"> • The department, through the Queensland Apprenticeship and Traineeship Office (QATO), managed the following key risks related to regulating and administering apprenticeships and traineeships in Queensland: <ul style="list-style-type: none"> – reputational risk that may impact the department’s ability to continue delivering an industry led quality product to apprentices and trainees. This may be due to a range of reasons including workplace issues such as bullying and harassment impacting the attraction and retention of apprentices and trainees. – risk of fraud or corruption that may impact the department’s ability to maintain public (i.e., parents, employers, apprentices/trainees), industry and provider confidence in recognising quality Vocational Education and Training (VET) pathways, products, and services. This may be due to a range of reasons, including individual or provider practices. • DESBT resources are used appropriately and proportionately to manage these risks by focusing on a supportive, educative approach with monitoring controls at one end of the continuum, rather than only relying heavily on enforcement, which sits at the other end of the regulatory response continuum. • This approach reduces any unnecessary burden on employers and apprentices/trainees by tailoring engagement activities and information resources to keep stakeholders informed. This results in greater 	<ul style="list-style-type: none"> • QATO conducts twice yearly structured reviews of the Apprenticeship Connect Australia Provider’s (previously Australian Apprenticeship Support Network Providers) compliance with the requirements of the Services Agreement. • Educational activities occurred through engagement by the regional officers, information provided through the departmental website, and through the DESBT Customer Centre. Engagement also occurred with key industry stakeholders to ensure contemporary information is available as they provide services to their clients. • DESBT also flags employers of apprentices and trainees where regional offices will prioritise making face to face connections with the parties to the training contract for the purpose of ensuring their understanding of obligations throughout the life of training contract. Further it provides DESBT with opportunities for early intervention if needed. These flags are for new employers and are also linked to current employers where investigations uncovered issues around supervision, scope of work, training commitment or historical reports of substandard workplace culture. During 2023-24, 39 flags were added for employers. • Two employers continue to be under a prohibited employer order. • Broad stakeholder consultation was undertaken during May 2024, to determine if <i>the Further Education and Training Regulation 2014</i> remained fit for purpose whilst creating an appropriate balance between protecting the quality of the apprenticeship system and not imposing an

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	<p>positive outcomes and incremental improvements by encouraging desired actions. However, penalties could still be used if deemed necessary.</p> <ul style="list-style-type: none"> Flexibility within a scalable compliance response is a key aspect of DESBT's approach to the apprenticeship and traineeship system both to assist specific industries or to respond to sector-wide disruptive events. 	<p>undue regulatory burden. Feedback from the consultation informed the remaking of the regulation, which came into force on 1 September 2024.</p>
<p>2. Consult and engage meaningfully with stakeholders.</p> <ul style="list-style-type: none"> Formal and informal consultation and engagement mechanisms are in place to allow for the full range of stakeholder input and Government decision making circumstances. Engagement is undertaken in ways that helps regulators develop a genuine understanding of the operating environment of regulated entities. Cooperative and collaborative relationships are established with stakeholders, including 	<ul style="list-style-type: none"> Regular engagement is undertaken by DESBT regional officers and QATO staff through involvement in conferences, seminars, Ministerial roundtables, and attendance at stakeholder consultations where valuable information is gathered on the appropriateness of procedural practices. DESBT continued to keep stakeholders informed of developments and requirements through a supportive process of regular visits by regional officers with employers and apprentice/trainees in the workplace, and with apprentices/trainees when attending training with the Supervising Registered Training Organisation (SRTO), rather than attempting to address broad-brush industry level operations. The focus for the department remained on the training contract by managing registrations, transfers and sustaining the contracts throughout the apprenticeship or traineeship. DESBT maintained collaborative arrangements with Apprenticeship Connect Australia Providers allowing them to undertake a range of delegations on behalf of the department, under the FET Act and to provide a 	<ul style="list-style-type: none"> Regular meetings were held between QATO and the Department of Employment and Workforce Relations (Commonwealth) responsible for apprenticeship matters for information sharing purposes. Regular consultations were held between QATO and Electrical Safety Office to review practices and requirements across electrical apprenticeships. QATO coordinated six meetings of the limited life stakeholder advisory committee, the Apprenticeship Advisory Reference Group during 2022–23 and 2023-24. The group considered actions and made recommendations to assist in addressing workforce skills shortages and improving apprenticeship and traineeship completion rates. A final report of the outcomes of the group has been provided to the Minister for Employment and Small Business and Minister for Training and Skills Development. DESBT officers attended Group Training Organisation (GTO) conferences and other like events. QATO has a long-standing partnership with the Group Training Association of Queensland and Northern Territory Ltd, trading as the Apprentice Employment

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<p>other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.</p>	<p>one-stop-shop service to Queensland employers, apprentices, and trainees.</p>	<p>Network (AEN), and provide funding to support enhanced group training services throughout Queensland. This includes AEN-led activity such as professional development offerings, research and analysis and operational support for GTOs. AEN also administer the tradeapprentices.com.au website on behalf of the department to support cancelled apprentices to engage a new employer and recommence their training.</p> <ul style="list-style-type: none"> • DESBT regional offices conducted regular Reference Group meetings with a range of key VET stakeholders throughout the state. • Other informal engagement mechanisms included: phoning 13QGOV, our Customer Centre or QATO; in person enquiries at one of our DESBT Regional Offices; email; mail and social media: Facebook, Twitter, YouTube, LinkedIn, and Instagram.
<p>3. Provide appropriate information and support to assist compliance</p> <ul style="list-style-type: none"> • Clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience. • Advice is consistent and, where appropriate, decisions are communicated in a manner that clearly 	<ul style="list-style-type: none"> • QATO conducted regular reviews of the department's website and Queensland Government Publications portal to ensure they contained up-to-date and accurate information on apprenticeship matters including in operational procedures, policies, and guidelines. In addition, QATO provided specialised advice to support departmental regional officers and other decision-making delegates, when making regulatory decisions to ensure consistency and fairness. • DESBT Customer Centre provided telephone consultations, in conjunction with stakeholder access to regional field officers located across Queensland. 	<ul style="list-style-type: none"> • The department leveraged its assistance via an automated SMS reminder for employers, recognising busy employers have a lot to manage. This new service helps employers remain informed and to keep track of obligations when managing an apprentice or trainee, and is supplementary to existing emails or letters as a form of communicating advice and support. It is a voluntary service where small businesses can stop the SMS reminders at any time. • Apprenticeship and traineeship policy and procedures were updated to provide for additional support mechanisms for apprentices and trainees, including for workplace issues such as bullying and harassment.

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<p>articulates what is required to achieve compliance.</p> <ul style="list-style-type: none"> Where appropriate, regulatory approaches are tailored to ensure compliance activities do not disproportionately burden particular stakeholders (e.g. small business) or require specialist advice. 	<ul style="list-style-type: none"> For additional information on departmental activities, visit DESBT website: https://desbt.qld.gov.au. 	<ul style="list-style-type: none"> DESBT updated stakeholder information and guidelines on regulatory apprenticeship and traineeship matters. DESBT continued to provide a Contract Connector newsletter (i.e. information regarding policy changes, fees, charges, and declarations) to SRTOs, as Skills Assure Suppliers, to assist with managing their regulatory obligations. During the 2023–24 financial year, DESBT sent over 139,000 SMS to employers, apprentices and trainees, made over 30,000 calls and conducted over 4,100 visits to support the apprenticeship and traineeship system’s key stakeholders.
<p>4. Commit to continuous improvement</p> <ul style="list-style-type: none"> Regular review of the approach to regulatory activities, collaboration with stakeholders and other regulators to ensure it is appropriately risk based, leverages technological innovation and remains the best approach to achieving policy outcomes. To the extent possible, reform of regulatory activities is prioritised on the basis of impact on 	<ul style="list-style-type: none"> DESBT Strategic Plan 2024–2028 outlined strategies and performance measures for DESBT activities that included apprenticeships and traineeships. For further information refer to: https://desbt.qld.gov.au/about-us/reports. Apprenticeship and Traineeships system is subject to continuous improvement as part of national vocational education and training reforms. For further information refer to: https://desbt.qld.gov.au/training/docs-data/skills-reform. QATO modifies the generic employer resource assessments for specific industries when an identified need arises. For further information refer to: https://www.qld.gov.au/education/apprenticeships/for-trainers/era. <p>DESBT has committed to continuous improvement through technology innovation allowing third party</p>	<ul style="list-style-type: none"> DESBT finalised implementation of responses to the 12 recommendations of the Training Ombudsman report <i>Review of support provided to Queensland apprentices and trainees, with a focus on female apprentices in male dominated occupations</i> (all recommendations having been accepted by the Queensland Government). As a key outcome to the training Ombudsman’s report, DESBT is improving communications with apprentices, trainees, and employers through media awareness campaigns to remind them of their rights, and promoting the support available through the Apprenticeships Info line. Additionally, DESBT is supporting apprentices, trainees, and employers to address work-related bullying and/or harassment, including through conducting yearly reviews of the Memorandum of Understanding established with

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<p>stakeholders and the community.</p> <ul style="list-style-type: none"> • Staff have the necessary training and support to effectively, efficiently and consistently perform their duties. 	<p>access arrangements to DESBT’s apprenticeship and traineeship training contract management system to:</p> <ul style="list-style-type: none"> – Apprenticeship Connect Australia Providers to process training contract transactions within the scope of their delegations on behalf of the department, under the FET Act; and – TAFE Queensland and Central Queensland University, limited to training contracts where they are listed as the SRTO, for the purpose of inputting completion agreement data and uploading the required completion documentation direct into the system for verification and action by DESBT delegated officers. 	<p>the Office of Industrial Relations to manage apprentice and trainee complaints and referrals.</p> <ul style="list-style-type: none"> • Two free online micro-credentials aimed at supervisors of apprentices and aiming to support inclusive and safe workplaces were introduced in November 2023. The micro-credentials are: <ul style="list-style-type: none"> – Mentoring an apprentice or trainee (mentoring methods, professional boundaries and tailoring mentoring to suit individuals) – Safe workplaces for apprentices and trainees (workplace behaviours and prevention mechanisms, cultural awareness, diversity and inclusion and responding to issues when they arise). • During 2023-24, QATO developed compliance related training modules to assist DESBT regional offices with training new staff, and as a refresher for existing staff. • Following regional officer feedback on permanent transfer of registered training contract processes, improvements were made to streamline processes undertaken by Apprenticeship Connect Australia Providers when executing their delegations on behalf of the department, under the FET Act. • QATO conducts twice yearly reviews of third party access arrangements to DESBT’s apprenticeship and traineeship training contract management system to ensure compliance with requirements of the Access Deed.

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<p>5. Be transparent and accountable in actions</p> <ul style="list-style-type: none"> Where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders. Decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions. Indicators of regulator performance are publicly available. 	<ul style="list-style-type: none"> DESBT is committed to providing the community with greater access to information as part of the <i>Right to Information Act 2009</i>. The DESBT Publication Scheme can be accessed at: https://desbt.qld.gov.au/about-us/right-to-information/publication-scheme. Monthly data on apprentices and trainees by qualification and region was published on Queensland Government Open Data portal: https://www.data.qld.gov.au/organization/employment-small-business-and-training. Apprenticeship and traineeship guidance information was published on the Queensland Government website and Publications portal and is frequently updated. For further information refer to: https://desbt.qld.gov.au/training/apprentices/resources 	<ul style="list-style-type: none"> DESBT ensured that relevant FET Act advice and/or decisions were provided to stakeholders in a timely manner. QATO has developed a Memorandum of Understanding between DESBT and Office of Industrial Relations regarding workplace bullying and harassment matters pertaining to apprentices and trainees. DESBT monitors and publishes a range of key indicators through the Service Delivery Statements budget paper and the DESBT annual report, including the number of apprenticeship/traineeship completions and corresponding satisfaction rates. These reports are made publicly available via the DESBT and Queensland Government websites.

Glossary of terms

The meanings of the following acronyms and/or abbreviations used in the report are listed below.

Acronyms	Meaning
AEN	Apprentice Employment Network (trading name for Group Training Association of Queensland and Northern Territory Ltd)
DESBT	Department of Employment, Small Business and Training
FET Act	<i>Further Education and Training Act 2014</i>
GTO	Group Training Organisation
QATO	Queensland Apprenticeship and Traineeship Office
SRTO	Supervising Registered Training Organisation as defined under the FET Act
VET	Vocational Education and Training