

Estimates Hearing - Question on Notice

Asked on 16 October 2012

QUESTION:

Mr Tim Mulherin MP, Member for Mackay, asked for clarification regarding the cost of apprentices having complaints heard and the specifics of the process.

ANSWER:

I thank the Member for his question.

I have been advised by my Department that the Training Ombudsman's authority is limited to providing advice and recommendations to the Department on any investigation of complaint, review of decision and disputes in relation to:

- training delivered to the apprentice or trainee under the training contract;
- adequacy of the facilities, range of work and supervision provided by the employer;
- circumstances in which the contract was signed or amended or cancelled; and
- Pre-qualified Supplier behaviours under the User Choice 2010-2015 policy.

The Training Ombudsman cannot overturn a decision or deal with a complaint which is being, or has been, dealt with by the Queensland Industrial Relations Commission (QIRC).

The Training Ombudsman will cease to operate from 1 November 2012 and from this date the Department will continue to provide the services previously supplied by the Training Ombudsman through:

- The Training Compliance Unit;
- Training Queensland Regions; and
- Apprenticeships Info Call Centre.

As the Department's role is to support apprentices and trainees to complete their training contract, this service will be provided at no cost to parties that feel aggrieved of decisions by the Department or have a complaint.

The Training Compliance Unit within the Department will provide an impartial and timely mechanism to investigate concerns, complaints and disputes in relation to all aspects of training provided and matters relating to the User Choice 2010-2015 program. The officers within the unit are able to review decisions made by departmental officers and make recommendations, as they are not party to any decisions made under delegation from Skills Queensland. The Training Compliance Unit will be supported by Training Queensland Regions and Training Queensland Apprenticeships Info Call Centre.

As the User Choice program provides public funding for the delivery of accredited, entry-level training to apprentices and trainees, the Training Compliance Unit will monitor and evaluate the activities to ensure relevant stakeholders are adhering to the required standards and acting within the intent of the User Choice program. Although not in legislation, the VET Pre-qualified Supplier Agreement and relevant program policies outline the terms and conditions for which Pre-qualified Suppliers and the Department are legally bound.

Complaints about the decisions made by delegated officers of the Department can be heard by the QIRC at no expense to the apprentice or trainee, and this represents no change to current arrangements.

In addition, there are no changes to current arrangements through the Queensland Civil and Administrative Tribunal (QCAT) as a result of the removal of the Office of the Training Ombudsman.