PRACTICAL PLACEMENT GUIDELINES

The Practical Placement Guidelines are in accordance with Part 7 of the Vocational Education and Training Act 1990 (VET Act).

The guidelines are designed to assist registered training organisations in administering practical placements for students.

The guidelines also provide information on the policy and legislative contexts for practical placements, information for registered training organisations, host employers and students, and model documents for use by registered training organisations.

Practical placement in VET

Practical placement is a specific component of Vocational Education and Training (VET) created for the purpose of the placement of students in a workplace to enhance their learning as part of a course. Any student enrolled in an accredited vocational education and training course that undertakes practical training in the workplace as part of a written agreement between a registered training organisation and an employer and as part of their course is covered by the VET Act.

Practical placement refers to any structured workplace learning, including but not limited to, work observation and work experience undertaken by a student as part of a course.

Practical placement is not to be confused with training undertaken as part of employment. The practical placement requirements of the VET Act do not apply to situations where students undertake part or all of their training in a workplace as employees of the workplace.

Practical placement is an essential part of many vocational and further education programs. Practical placement can assist in ensuring that learning relates more directly to actual competencies required in employment. The duration of the practical placement period will be clearly stated in course documentation and must appear in the written Practical Placement Agreement.

Practical placements work best when:

- the skills to be learned, enhanced or demonstrated during the placement are clearly specified and agreed to in writing; and
- a workplace supervisor is assigned to train and, in some cases, contribute towards the evaluation of a students' progress towards gaining the specified skills.
Eligibility for practical placement

Practical placement may be undertaken by any student enrolled in an accredited post secondary course offered on the scope of a registered training organisation, where practical placement is part of the course requirement. This includes students enrolled on a fee-for-service basis and international students.

The practical placement provisions of the VET Act do not apply to:

- apprentices;
- trainees;
- students enrolled in higher education courses; or
- a training provider training its own employees.

Additional requirements for international students

Where practical placement is undertaken by international students training providers must ensure there is full compliance with the requirements of the Guidelines for Applications for Approval of Work-Based Training in Courses for Overseas Students issued by the Victorian Qualifications Authority (VQA) and the Education Services for Overseas Students (ESOS) National Code. The VQA can assist providers further with these requirements.

Length of practical placement

Under these guidelines, up to 240 hours of practical placement is permitted automatically as part of a course. More hours are allowed where the national training package/State approved curriculum or a regulatory or professional body support a longer period and evidence of this is available.

In special circumstances, where there is a case for longer practical placement to achieve curriculum outcomes and enhance the vocational development and competency of students, an arrangement beyond this provision may be authorised by the body able to approve the extension to scope.

The length of practical placement must be specified in the written Practical Placement Agreement, expressed in hours.

Practical placement arrangements will be subject to audit by the VQA as part of the normal audit schedule.
Practical placement legislative framework

Part 7 of the VET Act provides the framework for practical placements.

WorkCover

It is important that placements are organised in accordance with the VET Act so as to ensure that students are protected through the Department’s WorkCover insurance policy. If placements are not arranged in accordance with the VET Act, students will not be protected by the Department’s insurance policy and will not be entitled to compensation through this insurance. A written agreement is one of the fundamental requirements in ensuring that the Department’s insurance is activated.

In the absence of the agreement, an injured student may still be entitled to WorkCover compensation through the host employer’s insurance coverage. However, the registered training organisation and/or host employer may also be held liable.

Other legislation governing the obligations of employers and employees also applies to practical placements. This includes:

- Occupational Health and Safety Act 1985;
- Equal Opportunity Act 1995; and
- Information Privacy Act 2000.

Registered training organisation

A registered training organisation, referred to in the VET Act as a TAFE Provider, is a TAFE institute, a university or any training organisation registered under section 23 of the Victorian Qualifications Authority Act 2000.

Post secondary education course

Post secondary education courses refer to those courses listed on the State VET Register and the National Training Information Service. Higher education courses are not included in these Registers.

Organising practical placements

Registered training organisations will need to ensure that staff administering practical placements are informed of the current policy and legislative context and have all the information they
require to ensure placements are successful. Minimising multiple approaches to employers will require cooperation and organisation between those organising placements.

To ensure that practical placements are rewarding experiences for students and host employers, registered training organisations should consider:

- appointing suitable practical placement coordinators;
- establishing sound administrative practices and cooperative planning;
- explaining the benefits of practical placements to both host employers and students; and
- developing long-term relationships with host employers.

**Practical placement agreement**

Section 87 of the VET Act requires all practical placements to be arranged through written agreements between a registered training organisation and a host employer.

The practical placement agreement is designed to formalise the arrangements and conditions between the host employer and the registered training organisation and to define the placement so that all parties, including the student, understand their responsibilities and rights. It is only through the practical placement agreement that the Department’s insurance coverage for the students on placement is activated. The placement agreement is also a safeguard in the event of a dispute or problem arising during the placement. The agreement should be permanently filed by the registered training organisation in case legal or insurance proceedings arise.

The agreement:

- may be varied or amended by another written agreement;
- must be consistent with any determinations made by the Victorian Learning and Employment Skills Commission (VLESC) about placements; and
- may be cancelled at any time by the employer or the registered training organisation giving written notice to the other.

The length of practical placement must be as required under these guidelines, and be specified in the agreement.

Note: The practical placement provisions of the VET Act do not apply where a training provider trains its own employees, or where trainees or apprentices are employed under training agreements.
Paying students on practical placement

The Governor in Council has made an order under section 87(2) of the VET Act fixing a minimum payment of $5 per day for students on practical placement. For calculating payments, a day is the normal number of hours worked daily in the industry. This payment is used to determine the Department’s WorkCover levy for practical placement students. It is not intended to reflect the value of the student’s contribution or the work undertaken.

Practical placement agreements with other than Commonwealth agencies should provide for students to be paid a minimum of $5 per day.

Where a host employer is willing to place students but cannot pay them, an agreement may be reached by which payments are voluntarily returned to the employer.

For placements arranged with Commonwealth employers, the VET Act provides that $5 per day is deemed to be paid to the student. The student is not actually paid but the deemed payment is taken into account in calculating the WorkCover levy. Students unwilling to accept this condition should be placed with a non-Commonwealth employer.

The Australian Taxation Office has advised that students paid $5 per day for the term of a practical placement need not have a tax file number or submit a tax return. Host employers are also not required to issue group certificates.

Note: If students receive more than $5 per day, the exemptions as stated by the Australian Tax Office may not apply.

WorkCover insurance

Signing the practical placement agreement referred to in the VET Act is extremely important because it activates WorkCover insurance for the student. The Department has a WorkCover insurance policy that provides insurance coverage for host employers providing work placements should a student sustain an injury while on the placement. The Department meets the premium costs.

It is the responsibility of the registered training organisation to ensure that the practical placement agreement has been correctly completed so as to activate this insurance. The absence of this agreement may result in a student injured during a practical placement not being entitled to WorkCover compensation under the
Department’s insurance coverage. The student may be covered under the host employer’s insurance policy. However, in such cases the registered training organisation and/or the host employer can be held liable for an injury and may be instructed to compensate the student.

Note: WorkCover does not cover any employee, including practical placement students, travelling to or from work.

The Victorian WorkCover Authority has advised on how the return to work and occupational rehabilitation provisions in the Accident Compensation Act 1985 apply to students on practical placement.

Return to work

If a student injured during a placement is later able to return to work, the host employer must provide placement in the same or an equivalent position for the remaining portion of the original agreement.

Before a student returns to work, the registered training organisation should satisfy itself that the workplace is safe and the student will not be at further risk. If the registered training organisation is not satisfied about the safety of the host employer, then an alternative placement should be organised.

Occupational rehabilitation

The WorkCover Authority advises that the purpose of rehabilitation programs should be to return the injured student to a position of general employability (either in the field of training or otherwise) rather than to the host employer.

Procedures for lodging a WorkCover claim

It is important that the registered training organisation, host employer and student are familiar with the procedures for lodging a WorkCover claim form. If a student is injured during a placement, the following procedure should be followed:

- the student completes and signs a Worker’s Claim for Compensation form with the assistance of the host employer and/or registered training organisation (if required);
- the employer completes and signs the Worker’s Claim for Compensation form as required;
- the **employer** completes the **Employer Claim Report** in full, signs and dates the form and forwards both the Worker’s Claim for Compensation form and Employer Claim Report, together with any accompanying medical certificates or accounts, to the registered training organisation; and
- the **registered training organisation** **countersigns both forms** and clearly marks them TAFE practical placement. The **Employer Number** should be entered as **1624618** and the **Workplace Number** entered as **9573347**. The registered training organisation has to provide a **certified copy of the practical placement agreement** to confirm that the student is employed under an agreement in accordance with the VET Act.
- The registered training organisation then forwards the originals of all forms except the practical placement agreement which is retained by the registered training organisation. Instead a certified copy of the practical placement is forwarded to:

  **CGU Workers Compensation Victoria**
  PO Box 2090S
  Melbourne 3001
  Phone: (03) 8603 1165
  Fax: (03) 8804 9426

  The registered training organisation must forward these forms to CGU **within 10 days** of receiving the forms from the host employer. Copies of all forms and records should be permanently filed in case legal or insurance proceedings arise.

  The Worker’s Claim for Compensation and the Employer Claim Report forms are available from any post office.

  Note: The above is necessary to establish any entitlement to compensation that an injured student may have under the Department’s insurance policy.

**Reporting requirements**

Registered training organisations are not required to provide annual reports on practical placement to the Office of Training and Tertiary Education (OTTE).

However, practical placement arrangements will be subject to audit by the VQA as part of the normal audit schedule.
Interstate placements

The VET Act does not specifically refer to students undertaking practical placement in another State or Territory. Interstate placement may be appropriate for some courses or students, and especially for registered training organisations located close to state borders.

Registered training organisations seeking to place international students interstate need to refer to the *Guidelines for Applications for Approval of Work-Based Training in Courses for Overseas Students* issued by the VQA.

Insurance coverage and other relevant interstate legislation

Victorian based students who are on a practical placement who sustain injuries have Victorian WorkCover entitlements, irrespective of whether their injuries occurred during a placement in Victoria or Interstate. The issue of relevance is the student’s educational base, rather than the location of the placement.

OTTE is not able to advise on interstate legislation.

Suitability of the interstate workplace for practical placement

Workplace visits are one method to assess the suitability of a host employer. Many registered training organisations have found that this is the most effective way to obtain information about an interstate host employer. Where this has not been possible, some registered training organisations have benefited by engaging an interstate registered training organisation to conduct a workplace visit for a fee or on a reciprocal basis.

Assessing skills acquired during practical placements

Some registered training organisations have found it beneficial to arrange for an interstate registered training organisation to assess their students who are on a practical placement for a fee or on a reciprocal basis. If students are assessed by workplace supervisors, the workplace supervisor is responsible for ensuring quality standards are maintained.