

# Annual Report



Your voice for  
Training and Skills  
in South Australia.

[trainingadvocate.sa.gov.au](https://trainingadvocate.sa.gov.au)

 @traininginsa



Government of  
South Australia



**Government  
of South Australia**

---

Office of the  
Training Advocate

# TRAINING ADVOCATE

## 2020 Annual Report

OFFICE OF THE TRAINING ADVOCATE

11 Waymouth Street, Adelaide South Australia 5000

GPO Box 320, Adelaide South Australia 5001

[www.trainingadvocate.sa.gov.au](http://www.trainingadvocate.sa.gov.au)

Contact phone number: Toll Free 1800 006 488

Contact email: [trainingadvocate@sa.gov.au](mailto:trainingadvocate@sa.gov.au)

**ISSN:** 2209-2013

**Date presented to Minister:** 5 March 2021

To:  
Hon David Pisoni MP  
Minister for Innovation and Skills

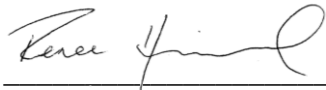
This annual report will be presented to Parliament to meet the statutory reporting requirements of the *Training and Skills Development Act 2008* (SA) and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted by:

**Renee Hindmarsh**

South Australian Training Advocate



Signature

5 March 2021

Date



## From the Training Advocate

Reflecting on 2020, it was both a disruptive and transformative year for training and skills development in South Australia. The impact of the COVID-19 pandemic was felt across the South Australian economy, the national economy and globally, reshaping workplaces and the skills needed to support economic growth and individual careers. The shift to online learning and adoption of new technologies was significant and brings its own challenges and opportunities.

Training and Skills policy had already been elevated at the State and National level leading into the pandemic and the aim of developing a modern, flexible training system was never more evident or relevant as people grappled with changing roles and the need to work and learn from home.

The Training Advocate continued to play an important monitoring role and oversight of the South Australian training system, providing critical insights into the Training and Skills Commission and relevant government agencies to assist with policy formation based on real-time trends. The creation of the National Skills Commission and the focus across both state and national jurisdictions on training and skills have provided an environment for genuine and meaningful policy reform.

I was grateful for the opportunity to speak at a range of national and local events about the importance of training and skills and the opportunities and challenges facing the training sector here in South Australia, including my first ever virtual conference presentation to the National Centre for Vocational Education and Research.

My office worked tirelessly to support individuals who were impacted by changes to their training arrangements and working arrangements. For individuals, particularly at the height of the pandemic, the advisory services offered by the Training Advocate were invaluable; assisting apprentices, trainees, students and employers navigate very uncertain and challenging environments, providing free and independent advice about the options available to them. Even when unable to attend the workplace due to government directions, the team at the Training Advocate continued to provide an uninterrupted service, moving to virtual consultations overnight to ensure service delivery continued when people needed it most.

There was an increase in the number of people and businesses accessing our services in the last year and there was also a very significant increase in the complexity of the cases and the issues for resolve. The increased volume in cases can be attributed partly due to the rapidly changing economic environment and the high degree of uncertainty in the community, particularly in the first two quarters of 2020, but there was also greater awareness of the service due to the promotional efforts in 2019.

As the provider of South Australia's International Student Advisory Service there was a significant increase in activity supporting international students who required assistance and

advice, particularly once they had accessed the funds available through the international student support package. The Training Advocate worked closely with education and training providers, government agencies, charities and NGOs to ensure that clients of the office were made aware of all options available to them as they were navigating the impacts of the pandemic. This cohort was impacted heavily by the pandemic due to the decrease in work opportunities across retail and hospitality. I must commend the efforts of all parties to ensure international students were supported during this challenging time, noting that some of the challenges remain.

A key focus of the Training Advocate in 2020 was to increase the engagement with employers, with the aim of supporting successful completion of Training Contracts. Significant efforts went in to helping all parties to a Training Contract understand their obligations, and the Office of the Training Advocate's engagement with businesses increased by 108% as a result. The Office of the Training Advocate also worked with the regulator of the Traineeship and Apprenticeship system and the Australian Apprenticeship Support Network providers to ensure seamless transfer between agencies and organisations should any issues arise during the course of an individual's training contract with the aim of supporting apprentices and trainees to complete. We also supported 24 apprentices and trainees to access the South Australian Employment Tribunal and participated in the conciliation process.

We worked closely with the Training and Skills Commission, the South Australian Employment Tribunal and the Department for Innovation and Skills to enable businesses impacted by COVID-19 to suspend rather than terminate their training contracts and by end of 2020 the majority of suspended apprentices and trainees had resumed their training. The Office of the Training Advocate supported the individuals impacted to access relevant supports during this period and to understand the process.

Another focus was improving collaboration across government to ensure more coordinated services and interactions with the public for training related matters. A goal of mine has been to ensure information is as clear and concise as possible to assist people to understand how the training system might work for them, and that whatever their entry point they are assisted to get their desired outcome as seamlessly and easily as possible. As Chair of the Education and Training Advisory Group I would like to thank all members for contributing their time and expertise to helping achieve this goal.

A big thank you must go to the Minister for Innovation and Skills and his office, the Department for Innovation and Skills for the supports they have provided through the year and the Training and Skills Commission. Finally, I would also like to take the opportunity to thank my team who showed great compassion and empathy to all clients of the service, particularly at the height of the pandemic-induced disruption, despite uncertainty and challenges they were facing in their own lives. They embodied the true spirit of the public sector.

Renee Hindmarsh

**Training Advocate**

## Contents

<b>From the Training Advocate.....</b>	<b>4</b>
<b>Contents.....</b>	<b>6</b>
<b>Overview: about the agency.....</b>	<b>7</b>
Our functions .....	7
Our organisational structure .....	9
Other related agencies (within the Minister's area/s of responsibility) .....	9
<b>The agency's performance.....</b>	<b>10</b>
Agency contribution to whole of Government objectives .....	10
Agency specific objectives and performance .....	12
Case management .....	21
Corporate performance summary .....	31
Employment opportunity programs .....	31
Agency performance management and development systems .....	31
Work health, safety and return to work programs .....	31
Executive employment in the agency .....	31
<b>Financial performance .....</b>	<b>32</b>
Contractors disclosure.....	32
Other information.....	33
<b>Risk management.....</b>	<b>34</b>
Fraud detected in the agency .....	34
Strategies implemented to control and prevent.....	34
Public interest disclosure.....	34
<b>Reporting required under any other act or regulation .....</b>	<b>35</b>
Reporting required under the <i>Carers' Recognition Act 2005</i> .....	35
<b>Public complaints.....</b>	<b>36</b>
Number of public complaints reported .....	36
<b>Service Improvements resulting from complaints or consumer suggestions over 2020.....</b>	<b>38</b>

## Overview: about the agency

### Our strategic focus

The Training Advocate is an independent statutory authority established under the *Training and Skills Development Act 2008* (SA) (Act).

The Training Advocate provides advice and support to individuals, employers and training providers. The role covers all post-secondary training in South Australia including:

- Apprenticeships and traineeships
- Vocational Education and Training (VET)
- Higher Education
- Education services for international students
- Adult Community Education (ACE)

### Our role

Clients accessing the services include students and prospective students, apprentices, trainees or their representatives, members of the public, employers, training providers, schools, peak bodies, community/professional organisations, Apprenticeship Network providers and government agencies.

The Training Advocate also offers a unique service to support the wellbeing and enhance the experiences of international students studying in South Australia through the International Student Advisory Service (ISAS).

The Training Advocate operates in accordance with the *Charter establishing the Training Advocate's Functions* (Charter of Functions).

The functions are designed to enhance consumer protection by improving access and effective participation in employment and skill formation opportunities, and to contribute to strategies that raise the quality and responsiveness of the training system in South Australia.

The Charter of Functions sets out five key functions as prescribed in the following clauses:

### Our functions, objectives and deliverables

- Clause 1: promotion of employment, education and training and the development of employment and skills formation policies and procedures;
- Clause 2: independent complaint-handling process to work to resolve matters arising out of the delivery of education and training and / or apprenticeships and traineeships;

- Clause 3: advocacy on behalf of clients in the resolution of matters relating to education and training and / or apprenticeships and traineeships;
- Clause 4: information and advice to assist people to navigate the training system and give advice relating to powers under the Act;
- Clause 5: monitor the training system, including the administration of the Act, and make recommendations for legislative change.

These functions have been delivered with:

- actively engaging with stakeholders to inform the development of key policies to drive activity associated to workforce development.
- the provision of advice, advocacy and mediation services to resolve disputes and maintain engagement in the training process.
- supporting individuals, apprentices, trainees, employers and other participants to navigate the training system and understand their rights and obligations.
- pro-actively promoting the benefits of apprenticeships and traineeships.
- monitoring the system, to identify systemic issues, emerging risks and opportunities to initiate responses to meet the State's future skills needs.

In support of the Charter, the Training Advocate and the International Student Advisory Service has provided services that are:

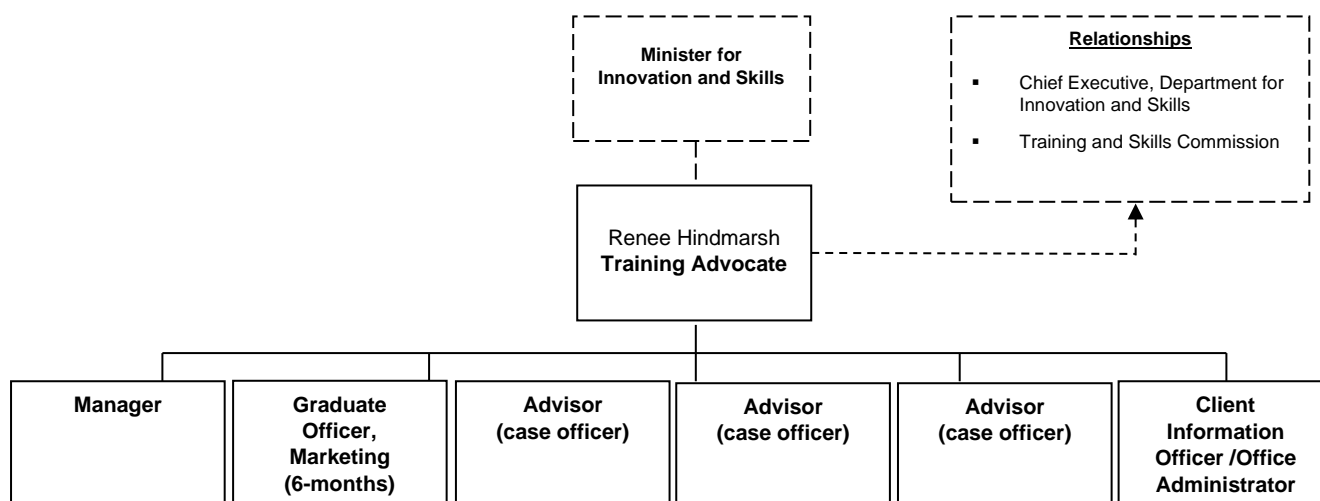
<b>Accessible</b>	easy to use
<b>Equitable</b>	fair and respectful
<b>Responsive</b>	individually tailored and confidential
<b>Effective</b>	achieves the best possible results
<b>Communicative</b>	educative and informative
<b>Accountable</b>	taking responsibility for our actions

## Reporting capability

The Training Advocate implemented a new client management system during 2020. This system features enhanced functionality and reporting capabilities with an intuitive case management function to capture data within the complaint handling environment. The system also provides a platform to report on stakeholder engagement. The investment has resulted in more efficient work practises and replaces the former system that was in place since 2008.



## Our organisational structure



These officers carry out functions under the Training Advocate's delegated authority in accordance with section 23 of the *Training and Skills Development Act 2008* (SA). There were no changes to the Training Advocate's structure and objectives as a result of internal reviews or machinery-of-government changes during 2020.

The Training Advocate and International Student Advisory Service re-located to 11 Waymouth Street, Adelaide in May 2020 along with the Department for Innovation and Skills and the Commonwealth Department of Education, Skills and Employment.

## Our Minister

The Hon David Pisoni MP, Minister for Innovation and Skills is responsible for the *Training and Skills Development Act 2008* (SA). He oversees workforce training and skills, apprenticeships and traineeships, innovation and entrepreneurship, science and information economy, creative industries and skilled migration.

## Other related agencies (within the Minister's area/s of responsibility)

Agencies include:

- Department for Innovation and Skills - <https://innovationandskills.sa.gov.au/>
- Training and Skills Commission - <http://www.tasc.sa.gov.au/>

The Training Advocate is resourced through the Department for Innovation and Skills and therefore administrative and operational functions comply with the Department's policies and procedures, established in accordance with the public sector requirements. This report will refer to information contained in the Department's 2019-2020 Annual Report where appropriate.

Where reference to the Training Advocate occurs in this document, this represents both the statutory role and all staff employed within the Office of the Training Advocate.

## The agency's performance

### Agency contribution to whole of Government objectives

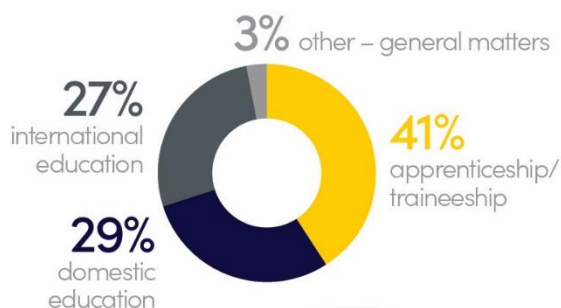
Key Objective	Training Advocate's Contribution
<b>Skilling South Australia</b>	<ul style="list-style-type: none"><li>Managing a 108% increase in approaches by organisations seeking assistance and advice to navigate the complexities of the training system, including facilitating access to confidential support and guidance, or mediation, to address their situation.</li></ul>

## Activity at a glance

**1,079**  
new cases



**2,082**  
issues addressed



**1,057** cases were  
finalised in 2020 with  
22 in progress



**106%** increase  
in apprenticeship/  
traineeship activity



**24** clients were  
supported to access SA  
Employment Tribunal



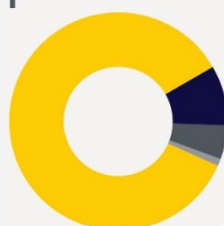
**63%** increase  
in international  
education activity

**86% complaints**

**14% enquiries**

### Client demographics

**85% metro**



**9% rural**  
**5% interstate**  
**1% offshore**

\*A complaint to the Training Advocate is defined as an expression of dissatisfaction with any aspect of the training system, a formal complaint, the registration of a concern lodged with the Training Advocate or assistance sought from the Training Advocate in dealing with a training-related grievance or dispute. For international students, this also includes dissatisfaction in connection with living or working arrangements.

### Agency specific objectives and performance

Agency objectives	Functional Indicators	Performance
<p><i>Promoting education and training and development of skill formation opportunities</i></p>	<p>1.1 promote the benefits of higher education (other than that provided by a State University as defined in the Act), vocational education and training and adult community education in the State;</p> <p>1.2 promote the development of employment and skills formation policies and procedures.</p>	<p>Supported South Australian businesses to engage in workforce development, apprenticeships and traineeships through:</p> <ul style="list-style-type: none"> <li>• Active engagement with over 600 small businesses at the <i>Meet the Buyer</i> seminar hosted by the Industry Advocate to respond to training related enquiries and highlight the benefits of skilling or up-skilling their workforce.</li> <li>• Promoting the option to host an apprentice or trainee through a Group Training Organisation.</li> <li>• A workplace supervisor workshop to build mentoring and coaching skills to guide apprentices to be knowledgeable and effective in their role and to reach their full potential and achieve successful Training Contract completion.</li> </ul> <p>Achieved cross-sector collaboration with key government and non-government stakeholders by initiating and leading the Education and Training Advisory Group (ETAG) to foster collaboration and act as a central point to connect government communications and activities across South Australia related to post-secondary training, as well as relevant secondary training (VET in schools and school-based apprenticeships):</p> <ul style="list-style-type: none"> <li>• Ensuring coordination of announcements and consultations across government agencies to maximise impact and reduce the risk of stakeholder fatigue.</li> <li>• Ensuring consistency of messaging and communications to the public, industry and small business about education and training in South Australia.</li> </ul> <p>Consulted extensively on the draft <b><i>Training and Skills Development (Miscellaneous) Amendment Bill 2020</i></b>, engaging with key</p>

Agency objectives	Functional Indicators	Performance
<p><i>Promoting education and training and development of skill formation opportunities</i></p>	<p>1.2 promote the development of employment and skills formation policies and procedures.</p>	<p>stakeholders to identify opportunities for process and procedural change to:</p> <ul style="list-style-type: none"> <li>• Engage with all parties associated to apprenticeships and traineeships.</li> <li>• Ensure procedural fairness.</li> <li>• Support successful completions.</li> <li>• Streamline complaints management, conciliation and mediation processes.</li> </ul> <p>Utilised Training Advocate data to identify trend and emerging risks to inform and instigate Department for Innovation and Skills/ Traineeship and Apprenticeship Services policy directions and initiatives.</p> <p>Collaborated with the Disability Support Industry Reference Committee on behalf of Skills IQ on the Pathways and Education Discussion Paper for the review of qualifications in individual support, aged care and disability.</p> <p>Contributed to the National Reform Agenda policy debate into foundation skills, focusing on closing the literacy, numeracy and digital skills gap to support more people to successfully engage in study and/or work.</p> <p>Engaged with the Committee for Adelaide to resolve key issues and challenges in the training sector including:</p> <ul style="list-style-type: none"> <li>• COVID-19 impacts across domestic and international education.</li> <li>• The impact of online learning, increased risk to student mental health and wellbeing and financial hardship measures in place to support students, apprentices, trainees and employers.</li> </ul> <p>Key contributor to the development of the <b>Coronavirus Economic Response Package Omnibus Bill 2020</b>. A Bill for an Act to provide an economic response, and deal with other matters,</p>

Agency objectives	Functional Indicators	Performance
<p><i>Promoting education and training and development of skill formation opportunities</i></p>	<p>1.2 promote the development of employment and skills formation policies and procedures.</p>	<p>relating to the coronavirus, and for related purposes.</p> <ul style="list-style-type: none"> <li>Contributions to the Bill were based on real-time sector issues obtained by the Training Advocate in the course of carrying out the functions under the <i>Training and Skills Development Act 2008</i>.</li> </ul> <p>National sector engagement as Keynote speaker, National Centre for Vocational Education Research (NCVER) Conference, theme: <i>Workforce ready: challenges and opportunities for VET</i>. Key messages delivered in the presentation included the value of transferrable skills and creating an integrated training system combining VET and Higher Education.</p> <p>Leading consultations with the South Australian Employment Tribunal on amendments to the <i>Training and Skills Development Act 2008</i>.</p> <p>Contributed to the Training and Skills Commission Guidelines relating to Training Contract suspensions providing greater flexibility for businesses to suspend the Contract in response to COVID-19.</p> <p>Consultation with the Training and Skills Commission, Department for Innovation and Skills and industry partners on policy development related to flexible training pathways aimed toward building a more dynamic training system, including:</p> <ul style="list-style-type: none"> <li>micro-credentials framework.</li> <li>training options in cyber security delivered through A3C.</li> </ul> <p>Contributed to skills and workforce-based inquiries led by the South Australian Productivity Commission and the Australian Productivity Commission.</p>

Agency objectives	Functional Indicators	Performance
<i>Promoting education and training and development of skill formation opportunities</i>	1.2 promote the development of employment and skills formation policies and procedures.	<p>Actively collaborated to influence responses to reduce the impact of COVID-19 on the international education sector through:</p> <ul style="list-style-type: none"> <li>• Participation in the Ministerial Advisory Committee for International Education.</li> <li>• Liaising with the Department for Health and Wellbeing on the effectiveness of international student healthcare.</li> <li>• Engagement with Adelaide City Council to coordinate crisis assistance for international students.</li> </ul>
<i>Independent complaint handling process</i>	<p>2.1 provide an independent complaint handling process and investigate complaints (other than those deemed to be trivial or vexatious) relating to the provision of higher education, vocational education and training, education services for overseas students, adult community education and training contracts.</p> <p>2.2 work to resolve matters arising out of:</p> <p>2.2.1 the delivery of education and training.</p>	<p>Provided responsive complaints handling service to the public, to enable individuals to self-manage an issue or to access support when required to resolve education and training related issues by:</p> <ul style="list-style-type: none"> <li>• Providing fair, impartial and independent advice in a timely manner.</li> <li>• Maintaining confidentiality in accordance with s.72A of the <i>Training and Skills Development Act 2008</i>.</li> <li>• Applying the Information Sharing Guidelines to all case management processes.</li> <li>• Clearly explaining all available options.</li> <li>• Encouraging the parties to a dispute to directly communicate an offer of redress to resolve a dispute or grievance.</li> <li>• Taking into consideration an organisation's policies and procedures and associated legislation when working towards the resolution of a complaint.</li> <li>• The provision of assistance to access a provider's internal policies and procedures, including complaints and appeals to resolve disputes.</li> <li>• The activation of consumer protection mechanisms to enhance participation in training to support vulnerable people, including young workers.</li> </ul>

Agency objectives	Functional Indicators	Performance
<i>Independent complaint handling process</i>	2.2.2 apprenticeships and traineeships under Part 4 of the Act.	<p>The Training Advocate managed 925 (86%) complaints relating to the provision of higher education, vocational education and training, education services for overseas students, adult community education and training contracts in 2020.</p> <p>Providing apprentices, trainees and/or employers a confidential service and information about associated legislative requirements, guidelines, dispute management processes and possible options for resolve of the issue to enable the individual or organisation to self-manage as appropriate by:</p> <ul style="list-style-type: none"> <li>• Guiding apprentices, trainees or employers with preparation of information and evidence to aid dispute resolution processes, as required.</li> <li>• Providing information and support in order for an apprentice, trainee or employer to undertake their own negotiations with the other party.</li> <li>• Providing all parties information about South Australian Employment Tribunal (SAET) processes.</li> <li>• Where appropriate guiding the client of the Training Advocate with preparation of information and evidence for activating or responding to a dispute before the SAET for either a conciliation conference or hearing, while operating in accordance with the SAET rules and processes.</li> </ul> <p>The Training Advocate assisted 24 clients through formal SAET conciliation processes in 2020.</p>
<i>Independent complaint handling process</i>	2.3 under an agreement entered into with a provider of education services registered under the <i>Education Services for Overseas Students Act 2000</i> of the Commonwealth: 2.3.1 provide an independent complaint handling process;	<p>The Training Advocate's ISAS assisted 292 international education clients in 2020 by:</p> <ul style="list-style-type: none"> <li>• Utilising the ETAG to establish an International Student sub-committee to address the impact of COVID-19 preventing international students gaining or undertaking</li> </ul>



Agency objectives	Functional Indicators	Performance
Advocacy	<p>2.3.2 investigate complaints; 2.3.3 make recommendations in relation to complaints; relating to the provision of education services to the clients of the provider.</p>	<p>mandatory placements associated to their study.</p> <ul style="list-style-type: none"> <li>Escalating the continued financial hardship experienced by international students as a result of COVID-19 to the Ministerial Advisory Committee for International Education.</li> <li>Collaborating with Study Adelaide and the Department for Trade and Investment to ensure a coordinated approach to launch the South Australian International Student Support Fund.</li> <li>Providing direct support to 195 international students to access financial assistance, including the South Australian International Student Support Fund.</li> <li>Liaising with the Department for Health and Wellbeing on the effectiveness of international student healthcare.</li> <li>Assisting individuals to understand and interpret organisation's policies and procedures and associated legislation.</li> <li>Arranging access to interpreting services for speakers of English as a second language or non-verbal sign languages.</li> <li>Accepting and/or considering documents translated into English by translators accredited by the National Accreditation Authority for Translators and Interpreters (NAATI).</li> </ul> <p>During the second quarter in 2020 the ISAS experienced a 760% increase in requests for assistance from international students compared with the first quarter.</p>
	<p>3.1 speak for and negotiate on behalf of education and training providers and clients (and prospective clients) of education and training providers in the resolution of any matters arising out of the delivery of education and training;</p>	<p>The Training Advocate provided advocacy services that included the provision of independent tailored advice about rights and obligations and dispute resolution options applicable to employment/training arrangements by:</p>

Agency objectives	Functional Indicators	Performance
	3.2 speak for and negotiate on behalf of an employer or an apprentice/ trainee in the resolution of any matters arising under Part 4.	<ul style="list-style-type: none"> <li>Initiating negotiations to develop tailored study and/or training plans and associated support strategies.</li> <li>Leading negotiations to resolve Fee Disputes.</li> <li>Initiating and supporting individuals to access VET Loan Redress processes.</li> </ul>
<i>Information and Advice</i>	4.1 provide information and assist people to navigate the training system in South Australia; 4.2 give advice on the powers that may be exercised in relation to matters arising under the Act.	<p>The Training Advocate consults and engages regularly with stakeholders associated to training and related sectors to identify emerging sector risks, opportunities and barriers to employment and training.</p> <p>These stakeholders include:</p> <ul style="list-style-type: none"> <li>Key industry bodies, Industry Skills Councils, organisations and employers.</li> <li>Education and Training Providers, Universities, Registered Training Organisations and ACE Providers.</li> <li>Group Training Organisations.</li> <li>Apprenticeship Network Providers.</li> <li>The Independent Tertiary Education Council Australia (ITECA).</li> <li>TAFE SA.</li> </ul>
<i>Monitoring the training system</i>	5. monitor the administration of the Act and make recommendations (if any) for legislative change.	<p>Streamlining complaint handling processes, identification of systemic issues and referral of compliance matters to support a quality system including:</p> <p>Contributing to the <i>Statutory Authority Network - Rights Protection Agencies Group</i> that comprises of statutory authority representatives across a range of portfolios including health and community services, young people, equal opportunity, small business and safety.</p> <ul style="list-style-type: none"> <li>The network provided an avenue to share insights into COVID-19 impacts across various sectors, including the increased role of technology to support continuation of business.</li> </ul>

Agency objectives	Functional Indicators	Performance
<i>Monitoring the training system</i>	5. monitor the administration of the Act and make recommendations (if any) for legislative change.	<p>The Training Advocate led a coordinated approach to system monitoring through:</p> <ul style="list-style-type: none"> <li>• Sharing trend data with regulatory bodies including the Australian Skills Quality Authority for VET, Tertiary Education Quality and Standards Agency for Higher Education and the Queensland Training Ombudsman.</li> <li>• Supporting the needs of apprentices/trainees and businesses by liaising with government on issues including: <ul style="list-style-type: none"> <li>– Flexibility during COVID-19.</li> <li>– Online study and/or on-job training assessment.</li> <li>– Mental health and wellbeing.</li> <li>– Record keeping tracking progress of the individual to achieve competency.</li> </ul> </li> </ul> <p>The Training Advocate initiated changes to the Fair Work website, in consultation with the Fair Work Ombudsman, to notify individuals and businesses about additional steps required for ending an apprenticeship/traineeship to support all parties to understand their obligations and:</p> <p>Strategies to promote good practice in the fair treatment of workers, including accessibility of educational programs for employers, trainees/apprentices in association with Equal Opportunity Commission to respond to trend data linking workplace behaviours with non-completions.</p>

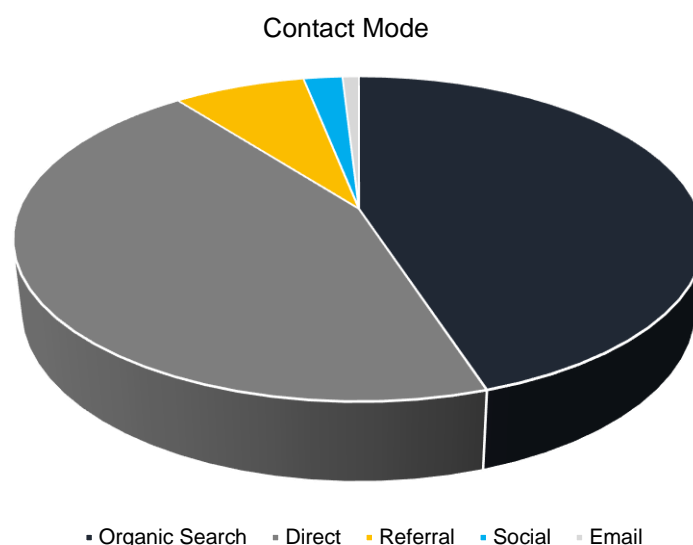
## Website and social media

The Training Advocate's website provides a comprehensive public resource, including fact sheets, brochures, videos, tips, and key information about how the system works and how the service can assist them. The website was upgraded in 2019 to enable individuals and businesses to access information more readily with an online contact form introduced for people to connect to the office at any time that suited them.

The website comprises key sections for students, apprentices, trainees, employers and training providers with easy navigation and clear content. During 2020 the website was regularly updated to reflect current issues to support clients, including:

- a central COVID-19 site dedicated to supporting international students.
- advice on how to seek assistance and/or report a workplace issue in different languages.
- referral services for employers to access help to meet workplace obligations and find out about financial support.

Between January and December 2020, the Training Advocate recorded 10,522 website visits (9,195 unique visitors) with the majority of visitors accessing information about the role or the international student page. An overview is provided below.



There was a significant increase in views to the international student COVID-19 support page during the third quarter of 2020. There was also a notable increase in total activity from 2019.

The Training Advocate continued to promote a social channel @traininginsa Twitter account in 2020 to engage with stakeholders, businesses and members of the public on sector updates.

## Case management

This section provides a brief overview of the data relating to new cases lodged with the Training Advocate during the 2020 calendar year, including information about:

- the number and types of enquiries or complaints received
- commonly raised issues
- training sector information
- the industries / professions identified

A complaint to the Training Advocate is defined as an expression of dissatisfaction with any aspect of the training system, a formal complaint, the registration of a concern lodged with the Training Advocate or assistance sought from the Training Advocate in dealing with a training-related grievance or dispute. For international students, this also includes dissatisfaction in connection with living or working arrangements.

During the initial consultation with the Training Advocate, each client is provided with information to enable them to make an informed choice about how best to address their issue. A client may choose to deal with the matter themselves or request support/advocacy from the Training Advocate. Alternatively, if the Training Advocate is not the appropriate agency to address the matter, the client will be referred to the relevant authority. Where required, the Training Advocate can support a client to access any alternative agency.

In accordance with legislative requirements, this report does not disclose any information that may identify parties to a matter.

## Our services

The Training Advocate provides a free and confidential service to respond to questions or complaints about employment and training, as it relates to South Australia, which has been classified by the Training Advocate into one of the following categories:

- Apprenticeships and Traineeships
- Domestic Education
- International Education
- Other – General Matters

Training programs may be delivered by:

- Registered Training Organisations (RTO) registered through the Australian Skills Quality Authority (ASQA) to deliver nationally accredited Vocational Education and Training (VET).
- Non-registered Training Providers including those in partnership with an RTO.
- South Australian Schools engaged in VET in Schools, School Based Apprenticeships and/or international education.

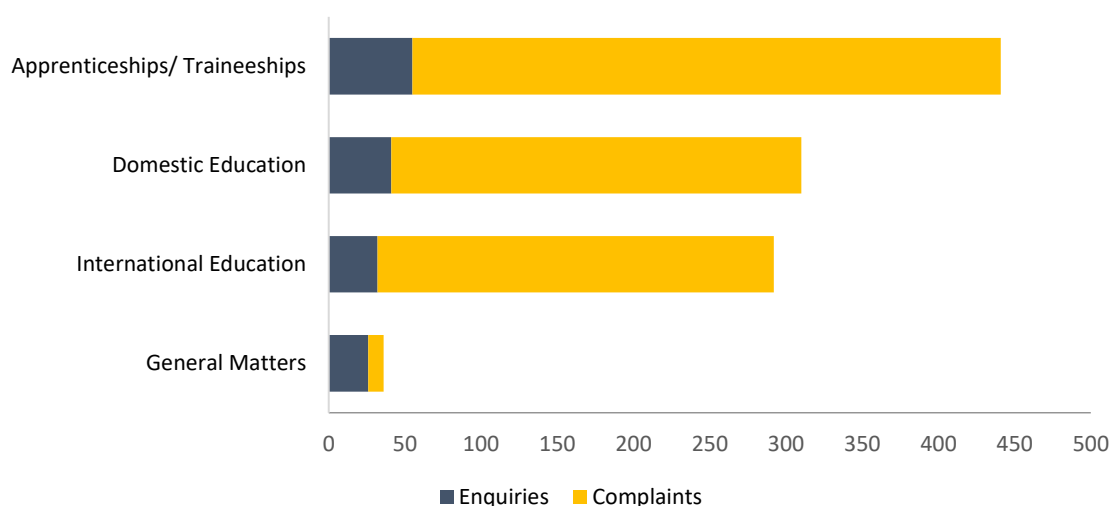
- Higher Education Providers registered by the Tertiary Education Quality and Standards Agency (TEQSA).
- Education and Training Providers registered on the *Commonwealth Register of Institutions and Courses for Overseas Students* (CRICOS) and delivering programs in accordance with the *Education Services for Overseas Students (ESOS) Act 2000* (Cth) and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.
- Providers of English Language Intensive Courses for Overseas Students (ELICOS).
- Adult Community Education (ACE) Providers.
- Employers registered to employ apprentices and trainees under Part 4 Division 3, *Training and Skills Development Act 2008*. This is administered by Traineeship and Apprenticeship Services, Department for Innovation and Skills under delegation of the South Australian Training and Skills Commission.

Note: the Training Advocate can also respond to interstate or offshore clients enrolled with a South Australian Training Provider or South Australian clients enrolled with an interstate Training Provider.

## Activity summary

In 2020, the Training Advocate responded to 1,079 new cases presenting a total of 2,082 issues where many cases required action to address more than one issue. Similar to 2019, 86% of cases were complaints and 14% were enquiries, across four key categories. There was an increase of 36% in total cases received compared with the previous year. This was partly due to the unprecedented level of disruption that occurred throughout the year due to COVID-19 where additional support was required by people to manage their individual circumstances. Key issues are briefly outlined in this report.

Figure 1 illustrates total complaints and enquiries within each category raised with the Training Advocate by an individual (75%) or organisation (25%).



A comparison of enquiries and complaints over a five-year period is provided on page 30.

A key objective was to encourage more organisations/employers to contact the Training Advocate for support to navigate the training system or to deal with a training related concern. This was achieved in 2020 with a significant increase recorded (+108%).

The following section summarises the case management data relating to key issues raised and the industry or field relating to either the employment or study area within each category.

## Apprenticeships and Traineeships

During 2020, 441 apprenticeship/ traineeship cases were managed with a total of 957 issues. Of these, 88% were complaints. 97% of cases in this category were finalised. Ten were carried forward for further action.

The Training Advocate responded to issues related to both employment conditions and formal off-the-job training requirements under a Training Contract with a view to assisting the parties in dispute to negotiate an agreed outcome and support completions.

The issues remained broadly consistent with previous years, though there were increased approaches related to Training Contract variations to manage changing business needs resulting from COVID-19. The Training Advocate played a key role to ensure parties were made aware of their rights and obligations in these circumstances. In 2020, key issues related to:

Employment under a Training Contract:

- Terms and conditions to vary a Training Contract including termination, suspension, credit to reduce the term of the apprenticeship/traineeship or competency-based completion.
- Wage rates and entitlements under the relevant industrial Award or registered agreement.
- Scope of duties performed on-the-job relevant to the trade/vocation or managing performance.
- Workplace health and safety.

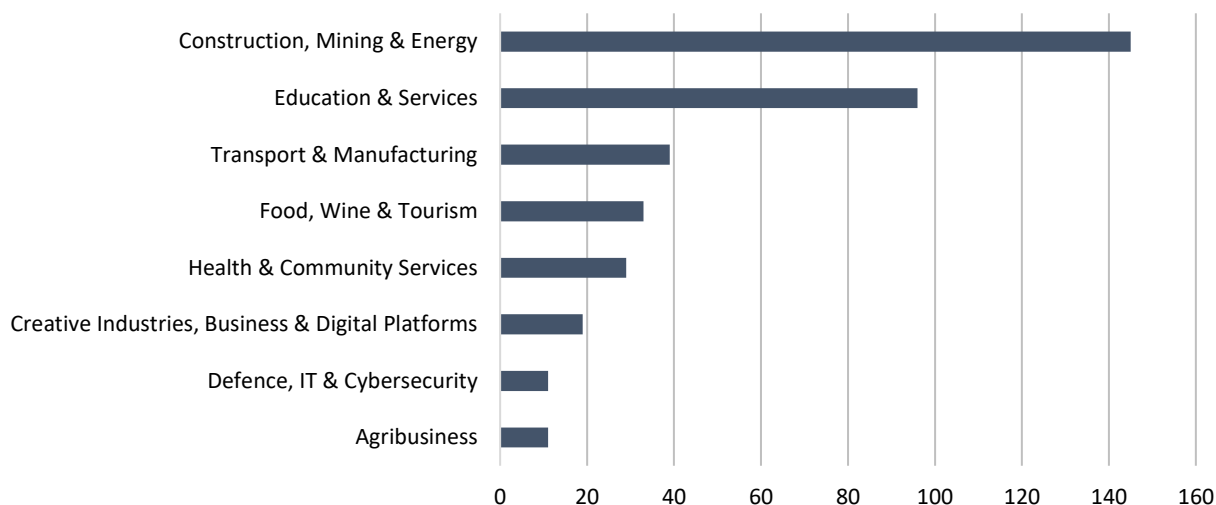
VET Qualification under a Training Contract:

- Terms and conditions for payment or reimbursement of the course tuition fee (including those stipulated under an industrial Award).
- Changes to the Training Plan arrangements such as online or on-the-job delivery and assessment.
- Tailored learning support.

Of the total number of cases, 24 clients were supported by the Training Advocate to access the formal dispute process before the South Australian Employment Tribunal in 2020.

383 cases identified the industry trade and / or vocation, the remaining chose not to disclose. The most common industry sector was Construction, Mining and Energy (*Figure 3 below*).

**Figure 3:** Apprenticeships/traineeships industry chart



## Domestic Education

During this period, 310 domestic education cases were managed with a total of 664 issues. Of these, 87% were complaints. 98% of cases in this category have been finalised. Nine were carried forward for further action.

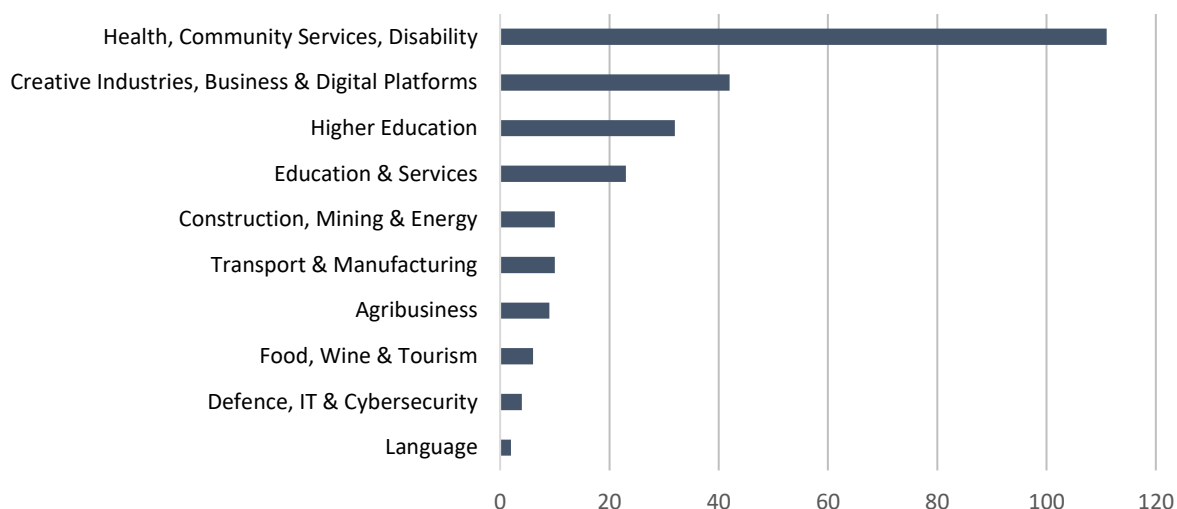
The COVID-19 pandemic identified challenges for students and providers in the delivery of training during 2020, including a transition to online delivery and managing practical assessments as part of the qualification. Clients sought assistance in relation to commercial arrangements, enrolment variations and tailored support to address these changes.

Key issues included:

- Conditions associated with enrolment variations including cancellation, a change in course duration, changed delivery methodology including the move to on-line.
- VET FEE HELP or HECS student debts, including criteria for re-crediting the Loan.
- Refunds and course fee terms of agreement.
- Academic appeals, assessment feedback or re-submission conditions; work placements required under the qualification.
- Quality of training; student learning support; accessing internal complaints and appeals processes.
- Academic transcripts

249 cases identified the industry / field of study (accredited / non-accredited) outlined in *Figure 4 below*. In relation to Higher Education the majority of cases related to the Education field.



**Figure 4:** Domestic education industry / field chart

## International Education

The Training Advocate provides South Australia's International Student Advisory Service to assist international students with any aspect of their living, working or study arrangements during their stay in South Australia.

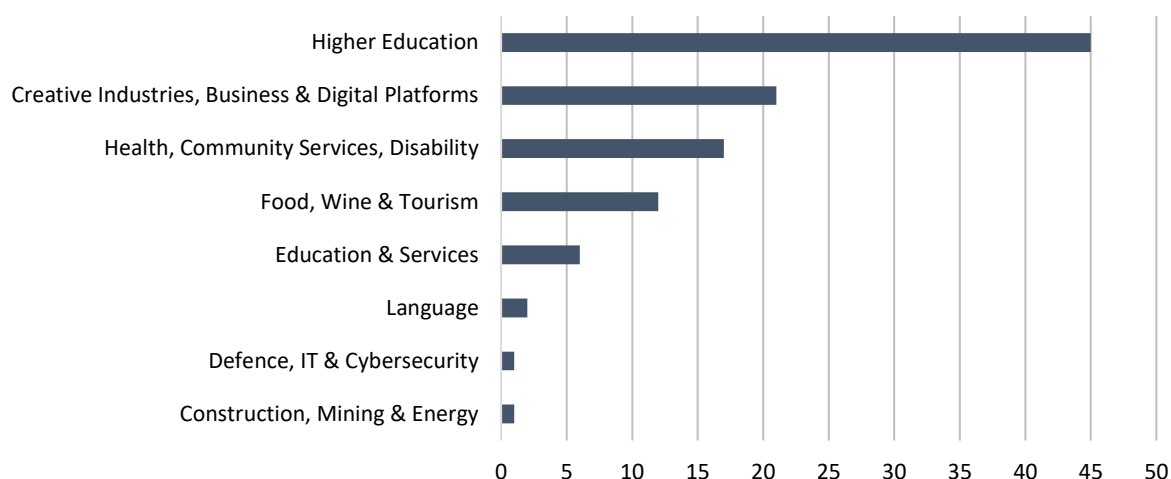
During this period, 292 international education cases were managed with a total of 428 issues. Of these, 99% were complaints. Three were carried forward into 2021 for further action.

A large body of work was carried out by the Training Advocate during 2020 responding to international students seeking urgent COVID-19 assistance. The Training Advocate initiated immediate responses through the provision of information, independent advice and assistance to enable international students to access support functions relating to emergency financial, living, health and welfare needs.

Other key issues raised included:

- Terms and conditions of written agreements including refunds and course fee arrangements.
- Overseas student visa requirements, including a student maintaining satisfactory academic progress and attendance and work rights.
- Assessment feedback; course supervisor arrangements; student support.
- Conditions associated with student transfers to an alternative Training Provider.
- Accommodation arrangements.

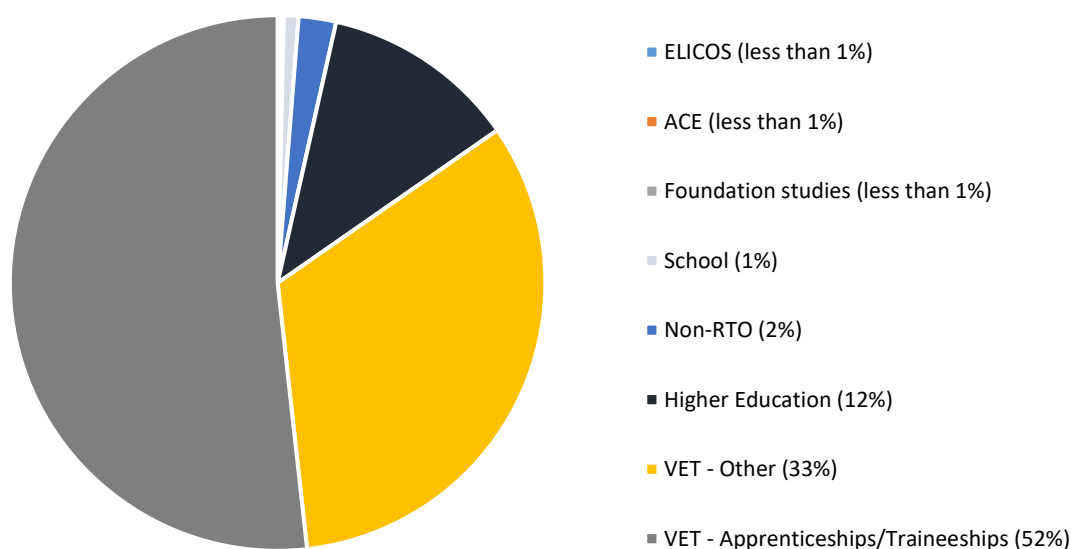
105 cases identified the industry / field of study (accredited) outlined in *Figure 5*. In relation to Higher Education the majority of cases related to the Business field.

**Figure 5:** International education industry chart

## Education and Training Sector

Similar to previous years, the majority of cases (85%) across all categories related to issues with a VET program, including those associated with apprenticeships/traineeships.

The chart below (*Figure 6*) represents those clients who identified this information (total 796). The remaining cases were classified as relating to government processes such as funding, or aspects of living or working for international students.



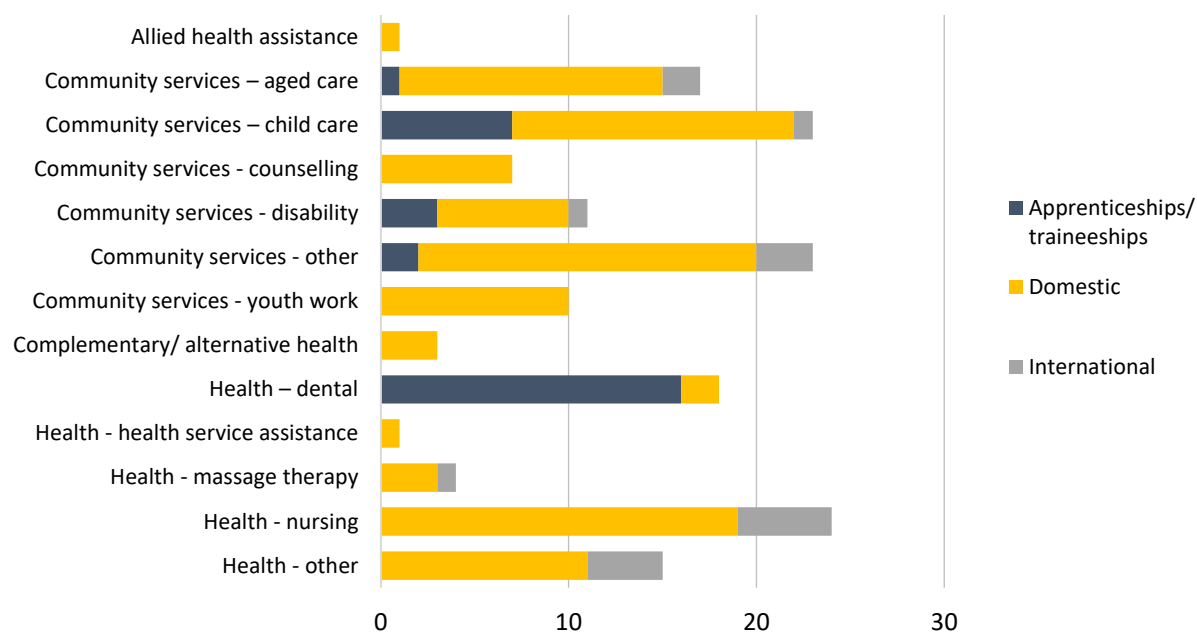
## Industry / Field Comparison Charts

To assist with South Australian data collection the Training Advocate data is captured against the eight industry sectors defined by the South Australian Training and Skills

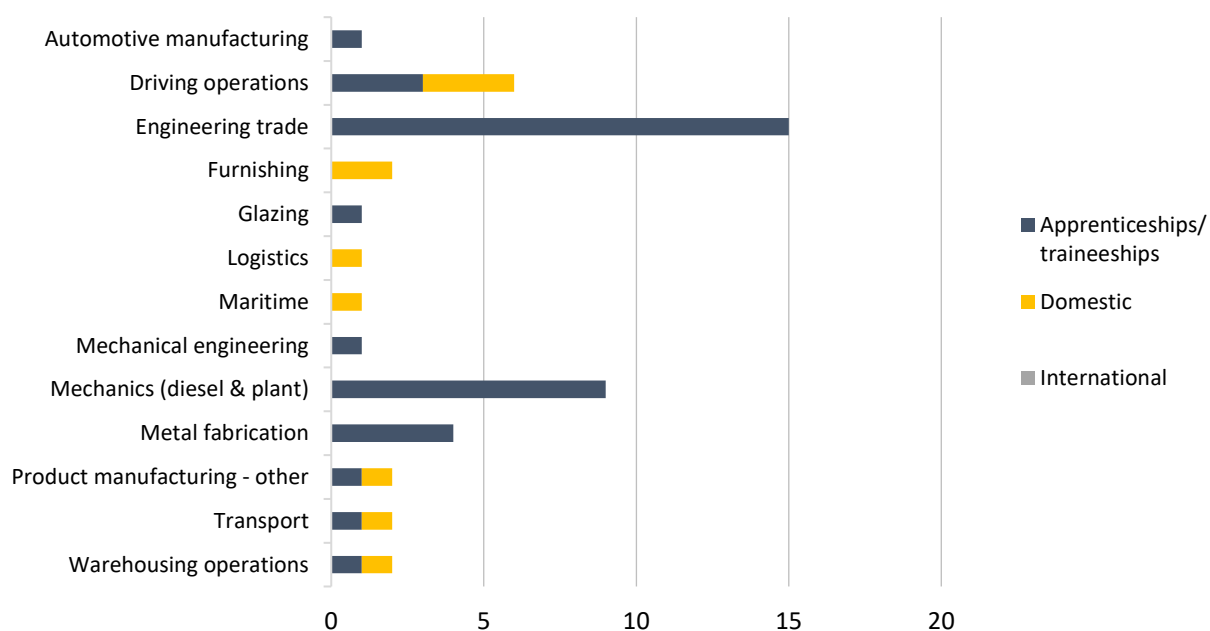
Commission to identify trends and provide industry specific feedback as part of its monitoring role.

The tables below provide a breakdown of each of these industry sectors (excluding Higher Education), against each category, to identify the trade or vocation of study that clients were engaged in at the time of contacting the Training Advocate.

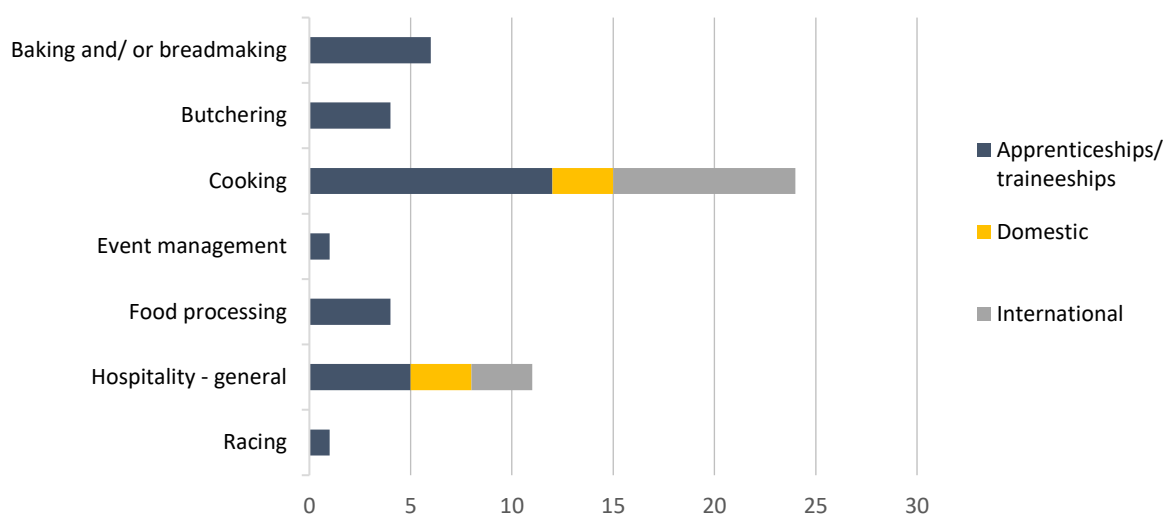
### 1. Health, Community Services, Disability



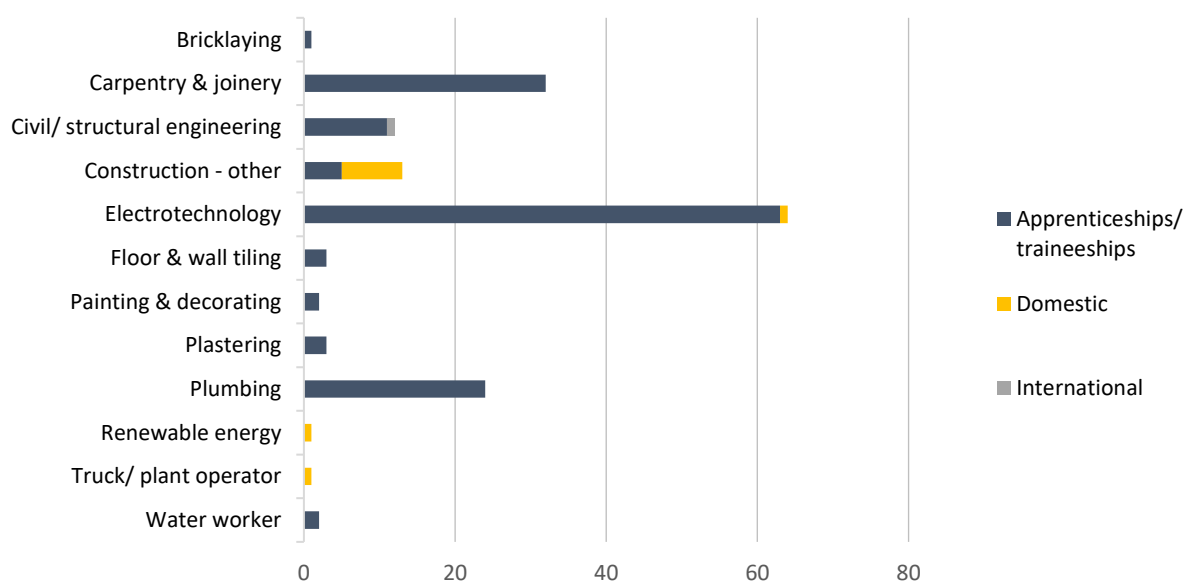
### 2. Transport and Manufacturing



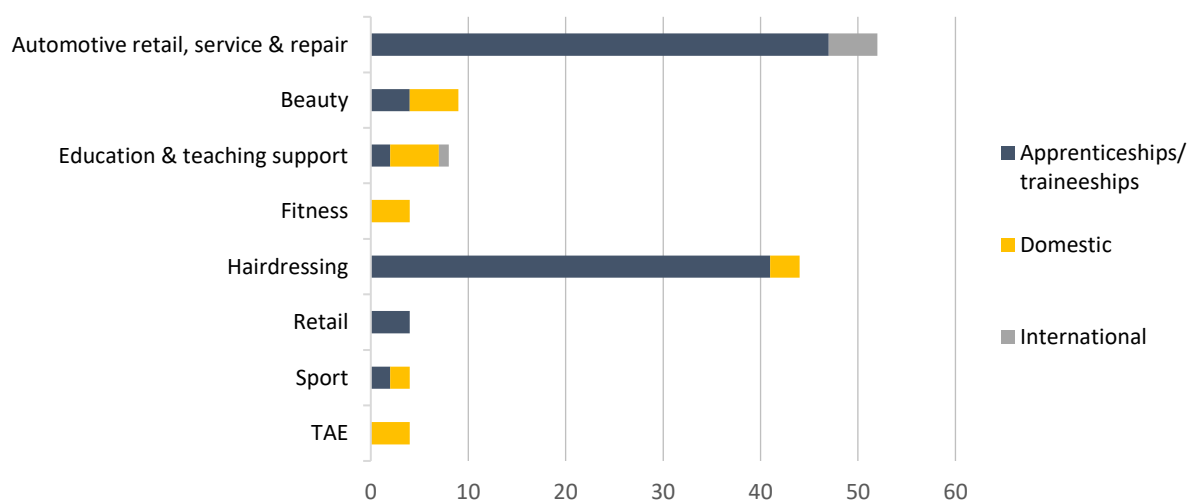
### 3. Food, Wine and Tourism



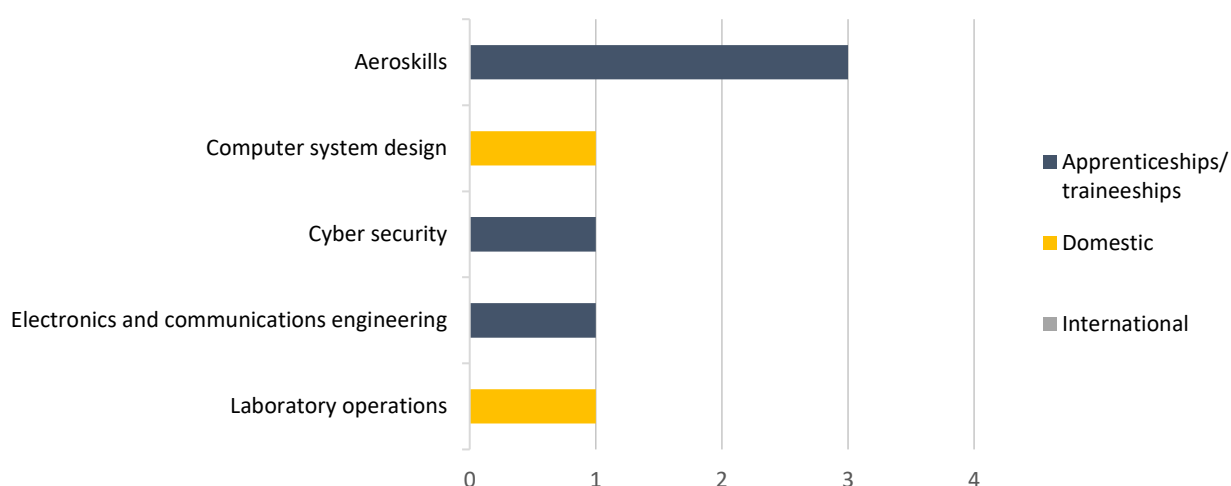
### 4. Construction, Mining and Energy



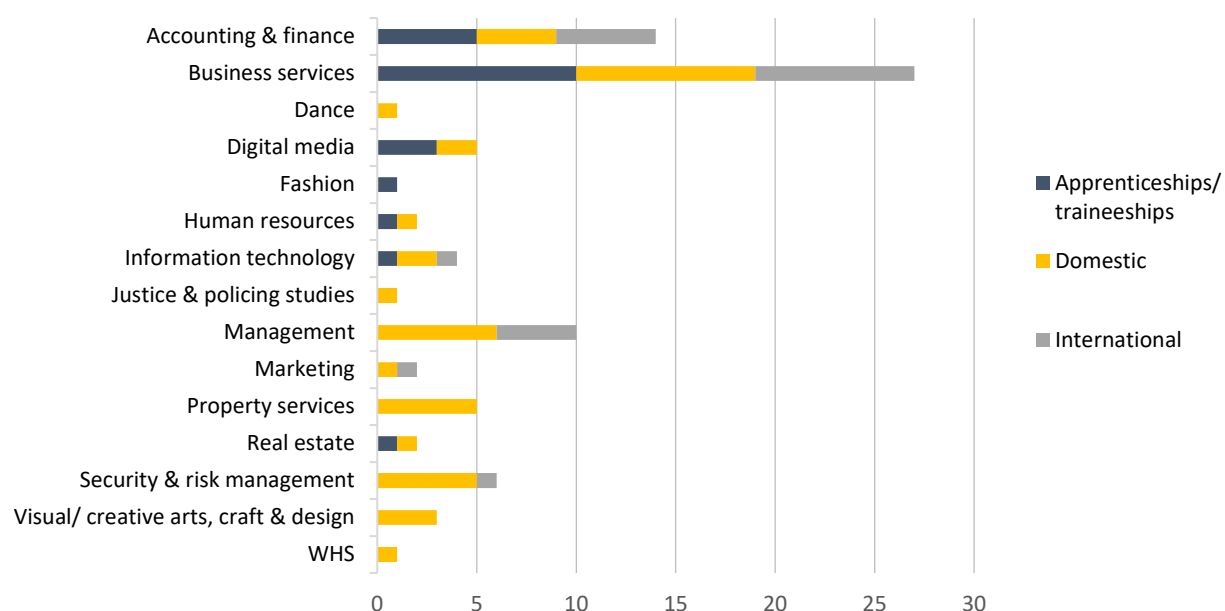
### 5. Education and Services



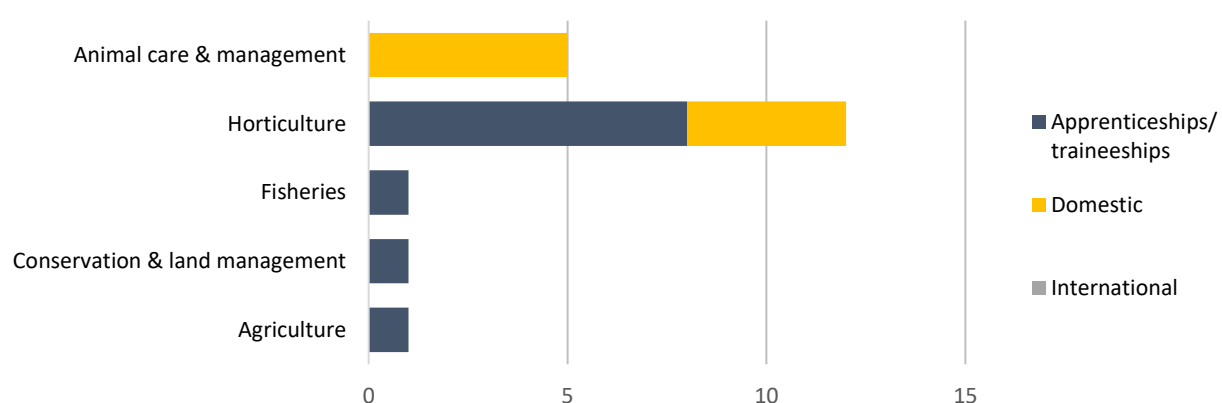
## 6. Defence, IT and Cybersecurity



## 7. Creative Industries, Business and Digital Platforms



## 8. Agribusiness



## Data Comparison Table

The table provides an outline of key data relating to enquiries and complaints received over the past 5 years.

	2020	2019	2018	2017	2016
<b>Total cases per Year</b>	<b>1,079</b>	793	915	796	895
<b>Total issues</b>	<b>2,082</b>	1,772	2,337	2,170	2,427
<b>Total cases per Category</b>					
International Education	292	179	206	122	129
Apprenticeships/ Traineeships	441	214	190	167	177
Domestic Education	310	368	488	474	553
Other	36	32	31	33	36
<b>Complaints per Category</b>					
International Education	260	152	178	114	107
Apprenticeship/ Traineeship	386	184	180	144	137
Domestic Education	269	335	463	429	493
General Training Matters	10	15	14	18	16
<b>Enquiries per Category</b>					
International Education	32	27	28	8	22
Apprenticeship/ Traineeship	55	30	10	23	40
Domestic Education	41	33	25	45	60
General Training Matters	26	17	17	15	20
<b>Total client disputes lodged in South Australian Employment Tribunal</b> (note: Industrial Relations Commission pre-30 June 2017)	<b>24</b>	26	25	13	18
<b>Total international student External Appeals conducted by the Training Advocate</b>	<b>N/A</b>	31	33	10	17

## Corporate performance summary

### Employment opportunity programs

Please refer to the Department's 2019-2020 Annual Report at

<https://innovationandskills.sa.gov.au/about-us/publications-and-reports>

### Agency performance management and development systems

Performance management and development system	Performance
Performance Management and Development Plan requires two formal sessions per year.	All staff reporting to the Training Advocate participated in performance sessions during 2020. This meets the 100% agency target.

### Work health, safety and return to work programs

Program name	Performance
Workplace Health Safety and Injury Management System Review	<p>All staff participated in required training programs in accordance with the Department for Innovation and Skills policy directions.</p> <p>One staff member held accreditation in HLTAID001 Provide cardiopulmonary resuscitation; HLTAID002 Provide basic emergency life support; HLTAID003 Provide first aid.</p> <p>All staff were provided with information about WHS updates, incident and reporting requirements and other relevant information (at weekly meetings or via email).</p>

Please refer to the Department's 2019-2020 Annual Report at

<https://innovationandskills.sa.gov.au/about-us/publications-and-reports>

### Executive employment in the agency

Executive classification	Number of executives
The Training Advocate is a statutory appointment	1

Data for previous years is available at <https://data.sa.gov.au/data/dataset/dis-annual-report-statistics>

The Office of the Commissioner for Public Sector Employment has a workforce information page that provides further information on the breakdown of executive gender, salary and tenure by agency.

## Financial performance

### Financial performance statement

The Department for Innovation and Skills allocates the resources required for the Training Advocate to function as a component of the Skills Activity. Financial information is therefore incorporated with the Department's financial statement published within the Department's 2019-2020 Annual Report. For full audited financial statements for 2019-2020 please refer to <https://innovationandskills.sa.gov.au/about-us/publications-and-reports/department-for-innovation-and-skills-2019-20-annual-report>

#### Consultancies with a contract value below \$10,000 each

Consultancies	Purpose	\$ Actual payment
All consultancies below \$10,000 each - combined		0

#### Consultancies with a contract value above \$10,000 each

Consultancies	Purpose	\$ Actual payment
All consultancies above \$10,000 each - combined		0

Data for previous years is available at <https://data.sa.gov.au/data/dataset/dis-annual-report-statistics>

See also the [Consolidated Financial Report of the Department of Treasury and Finance](#) for total value of consultancy contracts across the South Australian Public Sector.

### Contractors disclosure

The following is a summary of external contractors that have been engaged by the agency, the nature of work undertaken, and the actual payments made for work undertaken during the financial year.

#### Contractors with a contract value below \$10,000

Contractors	Purpose	\$ Actual payment
All contractors below \$10,000 each - combined		0

#### Contractors with a contract value above \$10,000 each

Contractors	Purpose	\$ Actual payment
All contractors above \$10,000 each - combined		0

Data for previous years is available at <https://data.sa.gov.au/data/dataset/dis-annual-report-statistics>



The details of South Australian Government-awarded contracts for goods, services, and works are displayed on the SA Tenders and Contracts website. [View the agency list of contracts.](#)

The website also provides details of [across government contracts.](#)

### **Other information**

The Training Advocate is subject to the direction, in writing, of the Minister; however no Ministerial direction may be given in relation to an investigation undertaken in performing the Training Advocate's functions as per section 22 *Training and Skills Development Act 2008*. The annual report (section 25 (2)) is required to include any written directions received from the Minister. No Ministerial directions were received by the Training Advocate in 2020.

## Risk management

### Fraud detected in the agency

Category/nature of fraud	Number of instances
Nil	0

*NB: Fraud reported includes actual and reasonably suspected incidents of fraud.*

### Strategies implemented to control and prevent fraud

The Department has risk-based strategies in place to control and prevent fraud. This is overseen by the Department's Risk and Performance Committee. The Training Advocate's processes comply with these policies.

Data for previous years is available at <https://data.sa.gov.au/data/dataset/dis-annual-report-statistics>

### Public interest disclosure

Number of occasions on which public interest information has been disclosed to a responsible officer of the agency under the *Public Interest Disclosure Act 2018*:

0

Data for previous years is available at <https://data.sa.gov.au/data/dataset/dis-annual-report-statistics>

## Reporting required under other acts or regulations

### **Reporting required under the *Carers' Recognition Act 2005***

The *Carers' Recognition Act 2005* is deemed applicable for the Department for Innovation and Skills.

*Section 7: Compliance or non-compliance with section 6 of the Carers Recognition Act 2005 and (b) if a person or body provides relevant services under a contract with the organisation (other than a contract of employment), that person's or body's compliance or non-compliance with section 6.*

The Department offered online training regarding disability and inclusion, this also included the *Carers Recognition Act 2005*, which was available to all Training Advocate employees.

Please refer to the Department's 2019-2020 Annual Report at <https://innovationandskills.sa.gov.au/about-us/publications-and-reports>

## Public complaints

### Number of public complaints reported

<b>Complaint categories</b>	<b>Sub-categories</b>	<b>Example</b>	<b>Number of Complaints 2020</b>
Professional behaviour	Staff attitude	Failure to demonstrate values such as empathy, respect, fairness, courtesy, extra mile; cultural competency	0
Professional behaviour	Staff competency	Failure to action service request; poorly informed decisions; incorrect or incomplete service provided	0
Professional behaviour	Staff knowledge	Lack of service specific knowledge; incomplete or out-of-date knowledge	0
Communication	Communication quality	Inadequate, delayed or absent communication with customer	0
Communication	Confidentiality	Customer's confidentiality or privacy not respected; information shared incorrectly	0
Service delivery	Systems/technology	System offline; inaccessible to customer; incorrect result/information provided; poor system design	0
Service delivery	Access to services	Service difficult to find; location poor; facilities/ environment poor standard; not accessible to customers with disabilities	0
Service delivery	Process	Processing error; incorrect process used; delay in processing application; process not customer responsive	0
Policy	Policy application	Incorrect policy interpretation; incorrect policy applied; conflicting policy advice given	0
Policy	Policy content	Policy content difficult to understand; policy unreasonable or disadvantages customer	0
Service quality	Information	Incorrect, incomplete, outdated or inadequate information; not fit for purpose	0
Service quality	Access to information	Information difficult to understand, hard to find or difficult to use; not plain English	0
Service quality	Timeliness	Lack of staff punctuality; excessive waiting times (outside of service standard); timelines not met	0

<b>Complaint categories</b>	<b>Sub-categories</b>	<b>Example</b>	<b>Number of Complaints 2020</b>
Service quality	Safety	Maintenance; personal or family safety; duty of care not shown; poor security service/ premises; poor cleanliness	0
Service quality	Service responsiveness	Service design doesn't meet customer needs; poor service fit with customer expectations	0
No case to answer	No case to answer	Third party; customer misunderstanding; redirected to another agency; insufficient information to investigate	0
		<b>Total</b>	0

<b>Additional Metrics</b>	<b>Total</b>
% complaints resolved within policy timeframes	N/A

Data for previous years is available at <https://data.sa.gov.au/data/dataset/dis-annual-report-statistics>

<b>Service Improvements resulting from complaints or consumer suggestions over 2020</b>
---

N/A
-----