



# LEARNER ELIGIBILITY ASSESSMENT AND EVIDENCE

## 2024 ACFE Training Delivery Guidelines Fact Sheet

*This Fact Sheet explains the process for checking and recording a prospective student's evidence of eligibility for pre-accredited program funding.*

The learner eligibility criteria outlined in the *2024 ACFE Training Delivery Guidelines* states that to enrol in an ACFE Board funded pre-accredited program, the prospective learner must be:

- an Australian or New Zealand citizen, or
  - a holder of an Australian permanent visa
  - an Asylum seeker holding a valid visa that confers eligibility for *Skills First* training through the [Asylum Seeker VET program](#) \*
- 17 years of age and over and not enrolled at school, or under 17 and not enrolled at school with an exemption from school.

\* From 11 July 2023, an individual or dependants of individuals are eligible to participate in the Asylum Seeker VET Program if they:

- hold any humanitarian, protection, or refugee visa in Australia
- have applied for a humanitarian, protection or refugee visa and hold a bridging visa for this purpose
- have made an application under s.417 or s.48b of the Migration Act 1958 (Cth) which is yet to be determined and hold a bridging visa.

*Individuals must have study rights, and work rights are required for programs that include work placement.*

Where no documentation confirming citizenship can be produced, an authorised delegate of the Learn Local provider can grant eligibility based on a comprehensive review of the learner's exceptional circumstances. Refer to page 4 for further details.

A person **cannot be enrolled** in an ACFE Board funded pre-accredited program if they are a:

- prisoner held at a prison, within the meaning of the Corrections Act 1986.
- person detained under the Mental Health Act 1986; or the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 or the Sentencing Act 1991 at the Thomas Embling Hospital.
- person detained (other than on weekend detention) under the Children, Youth and Families Act 2005 or the Sentencing Act 1991 or who is held on remand in the Malmsbury Juvenile Justice Centre or Parkville Youth Residential Centre.

## Steps for enrolling a prospective learner

### Step 1 – Assess eligibility

Assess the eligibility of the learner against the above criteria, through discussion with the applicant and a thorough check of evidential documentation. Refer to page 3 of this Fact Sheet for a list of documents that can be accepted as evidence of eligibility.

### Step 2 – Complete the documentation

For each learner who is assessed as eligible, the Learn Local provider will complete the [Evidence of Eligibility and Student Declaration](#) form (Eligibility Form) (Attachment 1 to this Factsheet) prior to the commencement of training.

The Eligibility Form must be completed by an authorised delegate of the Learn Local provider, defined as:

- an employee of the Learn Local provider who has been formally delegated this function by the CEO or equivalent, and written evidence of this delegation is available at audit, or
- a duly authorised agent of the Learn Local provider, where a legally binding agreement between the Learn Local provider and the agent is in place and available at audit.

The authorised delegate will declare that evidence of eligibility has been sighted and note the type of evidence provided.

**There is no longer a requirement to keep a copy of evidence relating to citizenship or age, or to record the document identification number.**

Where the Eligibility Form is completed electronically, the provider must ensure:

- that the information recorded is the same as that which would have been recorded in hard copy
- an electronic action equivalent to a signature is undertaken in any instance where a signature is required on the form.

*Please note:* The completed Eligibility Form can be used for subsequent enrolments with the same Learn Local provider on the proviso that it continues to be retained for audit, review or investigation purposes.

### Step 3 – Store the documentation

Completed Eligibility Forms should be stored in a similar manner to other key documents such as tax records, including that:

- the documents are secure and can be easily accessed where required
- storage should be for a minimum of three years after the student completes or withdraws from the course.

*Please note:* These forms can be stored electronically on a student management system where there is provision to do so.

The Learn Local provider must have a clear and documented business process for how their organisation:

- determines a learner’s eligibility, including sighting and recording of evidence as specified in the Eligibility Form
- stores the completed Eligibility Forms.

## Evidence of eligibility

### Evidence of citizenship and age

The documents in the table below can be accepted as evidence of eligibility of citizenship and age. They must be in the form of:

- a hard copy original
- a certified photocopy (not in electronic form) of the hard copy original
- confirmation from a Gateway Service Provider<sup>1</sup> that it has connected to the Commonwealth Government’s Document Verification Service (the DVS)<sup>2</sup> and verified that an individual’s name, date of birth and document number match a current and valid record in the DVS.
- a digital green Medicare card displayed on a Digital Wallet through Express Plus Medicare mobile application on the cardholder’s mobile device. The digital card may not be sighted via a screen shot of the card that is e-mailed or otherwise reproduced.

If the student is:	You can accept any of these:
an Australian citizen	<ul style="list-style-type: none"> <li>✓ Australian birth certificate (including birth extract)</li> <li>✓ Current Australian Passport</li> <li>✓ Australian citizenship certificate</li> <li>✓ Current green Medicare card</li> <li>✓ Australian certificate of registration by descent</li> </ul>
a New Zealand citizen	<ul style="list-style-type: none"> <li>✓ Current New Zealand Passport</li> <li>✓ New Zealand birth certificate</li> <li>✓ New Zealand citizenship certificate</li> </ul>

<sup>1</sup> A Gateway Service Provider is an organisation authorised to direct information match requests to and from the Commonwealth Government’s Document Verification Service (the DVS).

<sup>2</sup> The DVS is a national online system that allows organisations to compare an individual’s identifying information with a government record.

## Learner Eligibility Criteria and Evidence Fact Sheet OFFICIAL

If the student is:	You can accept any of these:
	<ul style="list-style-type: none"> <li>✓ Current green Medicare card</li> </ul>
a permanent resident	<ul style="list-style-type: none"> <li>✓ Current green Medicare card</li> <li>✓ Formal confirmation of permanent residence granted by the Department of Home Affairs <b>AND</b> the student's foreign passport or ImmiCard</li> </ul>
an asylum seeker	<ul style="list-style-type: none"> <li>✓ a 'Referral to Government Subsidised Training - Asylum Seekers' form from the Asylum Seeker Resource Centre or the Australian Red Cross</li> <li>✓ Confirmation through the Visa Entitlement Verification Online (VEVO) system that the student has a valid visa type accepted for participation</li> </ul>
in exceptional circumstances	<ul style="list-style-type: none"> <li>✓ A proxy declaration signed by the Learn Local provider's authorised delegate, or a relevant government or community service provider attesting to the student's citizenship and/or age status.</li> </ul>
required to show evidence of being 17 years of age or over, and their citizenship document does not include a date of birth	<ul style="list-style-type: none"> <li>✓ Current drivers' licence</li> <li>✓ Keypass card</li> <li>✓ Current learners' permit</li> <li>✓ Proof of age card</li> </ul>

In exceptional circumstances, where a student is unable to provide any of the evidence documents specified in the Eligibility Form, the Department will accept a proxy declaration in the form of a signed declaration by the CEO (or authorised delegate) of the Learn Local provider or of a relevant government or community service provider attesting to the student's citizenship and/or age status.

**This document must be retained with the Eligibility Form.**

The Learn Local Provider must make all reasonable efforts to help a student demonstrate their citizenship/age status through providing one of the accepted evidence documents. A proxy declaration can only be used in exceptional and specific circumstances, for example (but not limited to) homelessness, fire, flood, domestic violence.

Proxy declarations will not be accepted where a student has simply been reluctant to incur the cost or inconvenience of obtaining relevant evidence documents.

### Evidence of an exemption from attending school (for people aged under 17)

Victorians aged from 6 to 17 years are legally required to be at school unless they've been granted an [exemption from school attendance and enrolment](#) (exemption). A Learn Local provider can enrol a learner who will be under 17 when their program starts only if they have this exemption.

Prior to enrolling a student who will be under 17 years of age at the time their training commences, the Learn Local provider must **sight and retain** evidence of an exemption, as detailed below.

If the student:	The Learn Local provider must sight and retain:	And ensure that it:
<b>has</b> completed year 10	The signed and completed endorsement page from the 'Exemption From School Application Form' <b>OR</b> Correspondence or a certificate signed by the school Principal or a Department of Education Regional Director.	Identifies the Learn Local provider and the training to be undertaken
<b>has not</b> completed year 10	Correspondence or a certificate signed by the Department of Education Regional Director.	Identifies the Learn Local provider and the training to be undertaken
is not currently, or has never been, enrolled in a Victorian School*	Correspondence or a certificate signed by the Department of Education Regional Director.	Identifies the Learn Local provider and the training to be undertaken

\* For example, students enrolled in home schooling, or students who have moved to Victoria from interstate or overseas

### **Privacy notice for student enrolment**

When enrolling learners in ACFE Board pre-accredited training, Learn Local providers are required to provide a copy of the student enrolment privacy notice. This document is provided as a template in Appendix 1 of the current [Victorian VET Student Statistical Collection Guidelines](#) (Statistical Guidelines). Before using, Learn Local providers will need to update the template with their organisation's details and may wish to include additional information to describe their use of student data.

This privacy notice must be included with all enrolment forms.

Where electronic enrolment forms are provided, appropriate electronic confirmation procedures should be implemented for the student to confirm that the details provided are correct and that the student has accepted the privacy notice.

### **Eligibility data must be accurately recorded and properly stored**

Late or inaccurately recorded student eligibility information may result in delayed or withheld payments.

Proof of eligibility to access government funded training is a core component of your pre-accredited training contract. The Evidence of Eligibility and Student Declaration form and other required documentation i.e. proxy declaration and/or exemption from school, must be stored and accessible for a minimum of three years, in case of an audit or review.

## EVIDENCE OF ELIGIBILITY AND STUDENT DECLARATION FORM

**DO NOT LEAVE ANY SECTIONS BLANK**

### SECTION A: EVIDENCE OF CITIZENSHIP AND AGE

To be completed by an authorised delegate of the Learn Local provider

**I confirm that in relation to:**

(student's full name):

I have sighted **ONE** of the following: (tick relevant box)

- |  |  |
|--|--|
| <input type="checkbox"/> Australian Birth Certificate (not Birth Extract)  | <input type="checkbox"/> Current Australian Passport   |
| <input type="checkbox"/> Current New Zealand Passport  | <input type="checkbox"/> Australian Citizenship Certificate  |
| <input type="checkbox"/> Current green Medicare card   | <input type="checkbox"/> Australian Certificate of Registration by Descent   |
| <input type="checkbox"/> A proxy declaration for individuals in exceptional circumstances (attached)   | <input type="checkbox"/> Formal confirmation of permanent residence granted by the Department of Home Affairs (or its successor) AND the student's foreign passport or ImmiCard.                                 |
| <input type="checkbox"/> a <i>Referral to Government Subsidised Training - Asylum Seekers'</i> form from the Asylum Seeker Resource Centre or the Australian Red Cross | <input type="checkbox"/> confirmation obtained from the Visa Entitlement Verification Online System (VEVO) that the student holds a valid visa type accepted for participation in the Asylum Seeker VET Program. |

by either: (tick relevant box)

- viewing an original
- viewing a certified copy
- verifying through the Document Verification Service (DVS)
- viewing a digital green Medicare card on a Digital Wallet app on the card holder's mobile device
- relying on evidence sighted and retained as part of a previous enrolment
- viewing a printed or electronic record from VEVO that confirms a student holds a valid visa type accepted for participation in the Asylum Seeker VET Program.

Where evidence of a student being 17 years of age or over is required\* and the document produced from the list above does not include a date of birth (or if the date of birth has not been verified through use of the DVS), I have also sighted one of the following: (tick relevant box)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Current drivers' licence | <input type="checkbox"/> Keypass card      | <input type="checkbox"/> Not applicable |
| <input type="checkbox"/> Current learner permit   | <input type="checkbox"/> Proof of Age card |   |

\*Where a clear determination can be made, the above evidence is not required.

**AUTHORISED DELEGATE NAME:** \_\_\_\_\_

**SIGNED:**

**DATE:**

**SECTION B: STUDENT SCHOOL ATTENDANCE STATUS DECLARATION**

To be completed by the student

**STUDENT DECLARATION**

I, (*print full name*) \_\_\_\_\_

in seeking to enrol in one or more pre-accredited modules with this Learn Local provider, declare the following to be true and accurate statements:

- I **AM NOT** enrolled in a school, including government, non-government, independent, Catholic or home school, and:
  - I am aged 17 years of age or over, or
  - I am under 17 years of age and have provided Evidence of Exemption by a school principal or the Department of Education Regional Director.
- I acknowledge and understand that I may be contacted by the Department of Education or their agent to participate in a survey, interview or other questionnaire.

**SIGNED:**

**DATE:**