

# Training Accreditation Council FACT SHEET

## Identifying and Meeting Learner Needs

This Fact Sheet is designed to give guidance and direction to Registered Training Organisations in determining that their training and assessment services meet the requirements of the *Standards for Registered Training Organisations (RTOs) 2015* (the Standards) for Clauses 1.2, 1.3b, 1.7, 1.8b, Standard 4 and Clauses 5.1 and 5.2b.

References to RTO obligations to identify and respond to specific learner needs is found throughout the Standards and include:

“Ensure RTOs operate ethically with due consideration of learners’ and enterprises’ needs.” (p5)

The *Standards for RTOs* glossary defines **educational and support services** as including “c) language, literacy and numeracy (LLN) programs or referrals to these programs; and d) equipment resources and/or programs to increase access to learners with disabilities, and other learners in accordance with **access and equity**” (p8), and **access and equity** is in turn defined as “.... policies and approaches aimed at ensuring that VET is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.” (p7)

Clause 1.3b “The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient **educational and support services** to meet the needs of the learner cohort/s undertaking the training and assessment.”

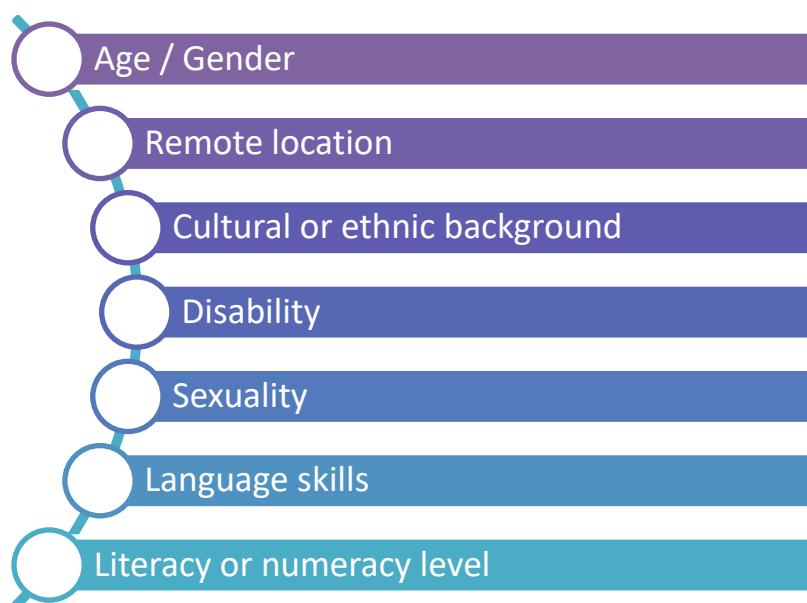
Clause 1.7 “The RTO determines the support needs of individual learners and provides access to the **educational and support services** necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.”

Clause 5.1 requires the RTO to ensure that “Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides advice to the prospective learner about the training product appropriate to meeting the learner’s needs, taking into account the individual’s existing skills and competencies.” Clause 5.2b requires that RTOs provide potential learners “Prior to enrolment or the commencement of training

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and assessment, whichever comes first ... in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content: ... the training and assessment, and related educational and support services the RTO will provide to the learner ....”

These clauses and the glossary provide a comprehensive picture of the range of learner needs that might need to be accommodated by the RTO. They include needs arising from:



The clauses also make it clear that accurate and accessible information must be provided to the learner **prior** to enrolment about the requirements of the training and the extent of support services an RTO can provide to allow a prospective learner opportunity to decide if the RTO is able to meet their needs. This is also reflected in Clause 5.2(e)(ii) which states that the RTO must also make clear the learners obligation in relation to “any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product;”.

An RTO needs to declare the limits of its capability to respond to individual learner needs prior to entry (enrolment) so that there is no ambiguity or uncertainty about the services on offer and the requirements for entry.

## Reasonable adjustment

While all of the above are covered by the Standards, **disability** requires particular attention as there are Commonwealth and State legislative requirements with which RTOs must comply. The [Commonwealth Disability Discrimination Act 1992](#) (DDA) and the associated [Disability Standards for Education 2005](#) (DSE) define disability and set requirements for RTO practice. The [Western Australian Equal Opportunity Act 1984](#) (WAEOA) prohibits discrimination on the grounds of impairment, including access to training and the conferring of qualifications. The DDA requires RTOs to customise their services to facilitate the

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successful participation of people with disability in education, training and employment and the DSE specifies that providers of training and assessment services in the VET sector are obligated to make "... reasonable adjustments, where necessary, to ensure they [learners] are able to participate in education and training, on the same basis as students without disabilities" (p15)

Disabilities might include:

- vision impairment
- deaf or hard of hearing
- mental health conditions
- intellectual disability
- acquired brain injury
- physical disability
- autism spectrum disability
- learning disability
- medical disability

There are distinct boundaries to the provision of reasonable adjustments for people with disability. In particular, the DSE section 3.4(3) instructs that the "... provider is entitled to maintain the academic requirements of the course or programs, and other requirements or components that are inherent in or essential to its nature" and notes that "... the provider may continue to ensure the integrity of its courses or program and assessment requirements and processes, so that those on whom it confers an award can present themselves as having the appropriate knowledge, experience and expertise implicit in the holding of that particular award." The WAEOA also indicates that "reasonableness" must not cause the provider unjustifiable hardship and must take into consideration the impact on the RTO and other learners, and the extent to which adjustments can be made without damaging the integrity of the industry standard and the certification that follows.

If the RTO for any of these reasons is unable to offer reasonable adjustment for a person who declares a disability, the RTO must put its reasons in writing and assist the learner in locating an alternative provider and/or an alternative course commensurate with their needs and capabilities.

If the RTO is able to offer reasonable adjustment for a person who declares a disability, then the RTO must make a clear and continuing commitment to the learner in writing that the reasonable adjustment will be provided so that the learner will be able to complete all agreed requirements.

Comprehensive information relating to implementing Reasonable Adjustment can be found in TAC Fact Sheet [Reasonable Adjustment and Inclusive Practice](#) and in Chapter 4 (pp 59 – 74) of the Department of Training and Workforce Development publication [Assessment in the VET Sector](#). These provide excellent examples and ideas for adjustment in assessment, which will also inform adjustment strategies for training delivery.

The DDA, DSE and WAEOA relate only to disability and do not address other needs listed in the Standards including age, gender, cultural or ethnic background, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location. Responses to these needs (including disability) are set out in the Standards and the following commentary addresses the requirements of the Standards. Although not listed in the Standards and therefore not an issue of compliance, it would be good practice to also include learning

styles and preferences and prior learning or experience as other learner characteristics that might need to be accommodated.

### Identification of need

Clause 1.7 requires the RTO to determine “the support needs of individual learners”. How can this be done?

In the first instance, RTOs can provide marketing information that a prospective learner can use to determine if the RTO and the programs it offers will be appropriate and accessible and will be able to respond to their needs.

Standard 4 requires RTOs to provide “accurate and accessible information about the RTO” so that prospective learners can “make informed decisions regarding their training and/or assessment needs” that “must be relevant to and reflect the needs of the client which will vary from RTO to RTO.” Clauses 5.1, 5.2(b) and 5.2(e)(ii) reinforce this requirement. RTOs are not expected to be “all things to all people”, so there will be inevitable boundaries to access and limitations to services that must be clearly enunciated through the RTO’s marketing.

For example, an RTO might have developed delivery and assessment resources specifically for experienced workers, so may limit enrolment to these clients. Another RTO might be delivering training through a medium that is heavily text dependent, and this could limit the cohort for which it is suitable.

It is important an RTO determine the level of language, literacy and numeracy and other entry benchmarks required to undertake each qualification or unit of competency it delivers for each mode of delivery used. This information **must be** made available to potential clients so they are fully informed of the RTO’s suitability for them.

Alternatively, the RTO might have particular strengths and an approach that will enable it to be more inclusive in its offerings, and this too must be advertised. Through these mechanisms, potential learners with particular needs or challenges can target their hopes on an RTO that is able to service their needs.

In the event that a potential client approaches an RTO, and the RTO determines that it cannot meet their needs for their chosen course, the RTO could redirect the client either to a more accessible course option, or to another RTO that has the capability to support the learner. If the RTO accepts and enrolls a student who does not have the necessary LLN or other study requirements the RTO is required by the Standards to adjust the amount of training and provide “access to the educational and support services necessary for the individual learner to meet the requirements of the training product ...” (Clauses 1.2, 1.3(b) and 1.7) For this reason it is imperative that the RTO determine and advertise minimum requirements, and has a strategy to redirect potential clients who do not meet them.

Having identified a suitable RTO and having determined that the RTO can service the client's needs, the process of enrolment secures an agreement between the RTO and the learner. Completion of an [AVETMISS compliant enrolment form](#) will provide the RTO with information about many of the learner's characteristics, including: age, gender, ethnicity, language, employment, location, previous education, and disability. Although collected for statistical purposes, this information provides a profile of each learner and provides clues to their needs and would provide definitive information about disability.

The enrolment process employed by an RTO should go further than AVETMISS by-requesting specific information about language, literacy and numeracy (LLN), relevant cultural, ethnic or religious observances, access to campus, previous training (including previous relevant units of competency) and learning style preferences. The RTO could implement an LLN test, or an interview process to gain a better understanding of each individual's preferences and needs.

Once training has commenced, evidence of individual needs can be gleaned from indicators of progress, feedback, complaints and appeals. A learner's needs can change, or may not be revealed, until tested by the rigours of training so it is important the monitor each individual's progress and to keep support services open and accessible throughout the term of the learner's enrolment.

### **Responses by trainers and assessors**




In the first instance, trainers and assessors must consider what boundaries or limitations are intrinsic to the course that is being delivered. The trainer/assessor must be mindful of what boundaries or limitations exist within industry, and this should be a part of industry engagement addressed in Clauses 1.5 and 1.6. It would be unreasonable to make adjustments or allowances in the training context that would be unacceptable in the workplace context. When the trainer/assessor has determined both the limitations and the opportunities for flexibility, these should be communicated to the RTO's marketing process and enrolment service and incorporated into the training and assessment strategy document (TAS) where potential clients and support options are described.

A key part of this process is the awareness of the trainer/assessor of industry requirements, the range of learner needs that might be encountered, and how these might interact. Care must be taken not to introduce unreasonable limitations or boundaries, but to seek strategies to optimise access and participation for all potential learners.

Over-riding all considerations are the requirements of the units of competency, these cannot be compromised. Where the TAS describes learners with specific needs and challenges, the detailed delivery and assessment plans for units or clusters of units must describe the means by which those needs will be addressed. At this point, consideration must be given to the resources of the RTO, as responses to individual needs must not impose hardship on the RTO (or other learners), and this may force a re-think about the range of supportable clients that cascades back through the TAS to enrolment and marketing.

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There are many strategies that can be adopted to cope with varying learner needs. These include:

	Modification and/or restriction of the learner cohort. It may be helpful to form homogeneous cohorts of learners with similar needs (such as age groups in IT), or to advertise limitations to restrict enrolment.
	Prudent selection of elective units of competency, with a range of delivery streams, might provide for more individual flexibility. Similarly, recognition of prior learning would accommodate learners with the need for accelerated training.
	A range of delivery modes could be offered, some that assume high levels of LLN, others that are more aural and visual.
	The pace of learning might be adjusted, either through distinct cohorts or individualised instruction.
	Specialist equipment and facilities might be provided, such as ramp access, large text screens, lighting controls, noise control, mobility aids, PPE, and lifting, carrying and moving aids.
	Flexible arrangements might be made for assessment (Clause 1.8b), including RPL, oral questions and answers.
	Adjustments might be made to the context of delivery and/or assessment to take into consideration ethnic or religious protocols and constraints, and access to campus.
	On-line or other strategies might be employed to provide access to support remote or incarcerated learners.

These modifications must not compromise the unit of competency, or its application in real workplaces. For example, the provision of translator services would only be appropriate if the same services could be routinely accessed on a day-to-day basis in the workplace.

Modifications such as these have the potential to optimise accessibility and responsiveness to individual learner needs and would be incorporated into the delivery process managed by the trainer/assessor and documented in the course TAS and the unit delivery and assessment plans.

### **Provision of educational and support services**

Clause 1.7 states that: "The RTO determines the support needs of individual learners and provides access to the **educational and support services** necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses."

Separate from, but integrated with TAS and delivery and assessment plan responses by the trainer/assessor are services that the RTO might provide or access to support the learner's needs. Many of these are listed in the Standards Glossary on page 8.

Where there is an educational gap that requires addressing, the RTO might offer or access remedial or catch-up courses that provide the content (knowledge and skills) to ensure that the learner is ready to commence training.

Learning skills and LLN can be supported through study support and study skills programs, coaching programs and mentoring programs. Language issues can also be supported by translator services such as a bridging service until English language proficiency has been achieved. The provision of translator services over the long-term would only be legitimate if they could be mirrored in the workplace.

Counselling services providing vocational, emotional and psychological support may be provided or accessed by the RTO. Likewise, the RTO might provide or access medical services to support learners with medical conditions that could impact on their learning.

Finally, the RTO might provide services to assist in accessing financial support for learners at risk of discontinuing their training on monetary grounds.

In all these cases, these services need to be advertised through the RTO's marketing and student handbooks, and trainers and assessors need to be aware of their availability and services. Some of these services might be outsourced or contracted in. If there are fees for the learner associated with accessing these resources the costs would need to be included in marketing material to ensure that the learner can make a fully informed choice.

### **Demonstrating compliance**

In consideration of Clauses 1.2, 1.3b, 1.7, 1.8b, Standard 4, and Clauses 5.1 and 5.2b, the auditor will be looking for the responses of the RTO to clients with special needs, evidenced by:

- A clear statement in the TAS of potential clients and their likely learning needs. The statement might also indicate the learner needs that cannot be accommodated by the training delivery and assessment services covered by the TAS;
- Evidence of how those needs will be identified;
- An indication of how the amount of training will be impacted by responses to individual needs;
- A clear statement in marketing materials of opportunities and limitations with regard to supporting individual learner needs;
- A clear statement in marketing materials and student information relating to the provision of (or access to) learner support services, and evidence of the existence (or arrangements for access to) those services;
- A clear statement within a unit delivery and assessment plan of how training delivery can be modified to meet individual learner needs, and evidence of the readiness of the RTO to provide those modifications; and
- A clear statement within a unit delivery and assessment plan of how flexibility

For initial registration, this evidence would be based on policies, procedures and plans. In later audits, evidence would be sought of the delivery, outcomes and the continuous monitoring of the effectiveness of these services, including evidence from learner feedback.

### Useful resources to support identifying and meeting learner needs

**TAC Fact Sheet** - [Reasonable Adjustment and Inclusive Practice](#)

**Reading Writing Hotline** - a national phone service for adults looking to improve their reading, writing, maths or computer skills. The Hotline does not provide training services - <https://www.readingwritinghotline.edu.au>

**Read Write Now** - 1 to 1 help for adults who want to improve their reading, writing, maths, study or basic computer skills - <https://www.read-write-now.org>

**Western Australian Adult Literacy Council (WAALC)** is Western Australian advocacy and advisory committee that work to provide networking opportunities and professional learning to managers, practitioners, and volunteers that support adult LLN learners. <https://waalc.org.au/>

**Special courses** – Course in Applied Vocational Study Skills (CAVSS); Certificates in General Education for Adults (CGEA), Course in Underpinning Skills for Industry Qualifications (USIQ) - <https://www.dtwd.wa.gov.au/training-providers-and-schools/vet-lln>