



29 January 2020

Ms Beverley McKee
Director
Axiom Syndicate Pty Ltd as trustee for
Axiom Syndicate Discretionary Trust
18 Mayneview Street
MILTON QLD 4064

By email to: bev@axiomcollege.com.au

RTO ID: 40489
Audit No: AUDREC0009978

Dear Ms McKee

Re: Direction to rectify breach/es of conditions

I refer to the audit of Axiom Syndicate Pty Ltd as trustee for Axiom Syndicate Discretionary Trust conducted on 19 December 2019. The audit focused on the qualifications or units of competency listed in your organisation's application or scope of registration.


ASQA has determined your organisation is **not compliant** with the requirements of the *Standards for Registered Training Organisations 2015* (Standards for RTOs) which is a breach of Section 22 of the *National Vocational Education and Training Regulator Act 2011* (NVR Act). A copy of the final audit report is attached for your reference.

The Australian Skills Quality Authority (**ASQA**), as the national VET regulator, has made the decision to give a written direction, under section 35A(1) of the *National Vocational Education and Training Regulator Act 2011* (NVR Act), requiring your organisation to:

- rectify this breach by addressing each non-compliance outlined in the attached audit report within 20 working days of the date of this notice; and
- retain evidence this written direction has been complied with for examination at a future regulatory activity, by retaining evidence that you have addressed each non-compliance outlined in the attached audit report.

You are not required to submit evidence that you have addressed the non-compliances in response to this notice. ASQA will review evidence that you have complied with this notice at a future regulatory activity.

ASQA considers that issuing a direction to rectify a breach of condition is a proportionate response to the level of non-compliance identified. The direction to rectify a breach of condition has been issued



as an alternative to requiring rectification evidence or proposing a sanction be imposed on your organisation.

Reviewable Decision

You can seek a review of this decision as it is a reviewable decision under section 199 of the NVR Act.

Reconsideration by ASQA

As a delegate made this decision, you may apply to ASQA for a reconsideration of the decision. This option must be exercised within 30 days from the date of this notice using the [Application for reconsideration of reviewable decision](#). Your application must include the reasons for the application and requires payment of an application fee. Please refer to the ASQA website at www.asqa.gov.au to obtain the application form and further information about reviewable decisions. ASQA will inform you of the result of its reconsideration of the decision within 90 days of receiving your application.

Review by the AAT following reconsideration by ASQA

If, upon the reconsideration, ASQA either affirms or varies its decision, you may seek a further review by the Administrative Appeals Tribunal (**the AAT**) under section 203(1) of the NVR Act.

The AAT is an independent review authority that has the power to affirm, vary or set aside ASQA's decisions. The AAT aims to provide fair, impartial, high quality and prompt review with as little formality and technicality as possible.

Under section 41(2) of the *Administrative Appeals Tribunal Act 1975*, you also have the right to apply to the AAT for a stay of the enforcement or implementation of ASQA's decision until such time as the AAT determines its review of the decision.

An application to the AAT for a review of the decision must be submitted within 28 days of receiving notification of ASQA's decision and will usually require the payment of an application fee. Your application to the AAT must be submitted in writing using the AAT forms available from the AAT Registry in your capital city, or from the AAT website www.aat.gov.au. Review applications may also be lodged at the Administrative Appeals Tribunal, GPO Box 9955 in your capital city. You may contact the AAT directly by telephone at 1300 366 700.

Review by the AAT without reconsideration by ASQA

You may also apply to the AAT for review of ASQA's decision under section 203(2) of the NVR Act, without first applying to ASQA for a reconsideration of the decision.

Access Documents


Your organisation may also have the right of access to further documents under the *Freedom of Information Act 1982*. More information about Freedom of Information (FOI), including how to make an FOI application, is available [via https://www.asqa.gov.au/about/accountability-and-reporting/freedom-information](https://www.asqa.gov.au/about/accountability-and-reporting/freedom-information).



Further information

If you require further information in relation to this matter, please contact Scott Templeton, Lead Regulatory Officer, by email: scott.templeton@asqa.gov.au.

Yours sincerely



Anthony Barkey
Manager Regulatory Operations



Australian Government

Australian Skills Quality Authority

REPORT

Audit report: Axiom Syndicate Pty Ltd as trustee for Axiom Syndicate Discretionary Trust

RTO number:	40489
CRICOS number:	N/A
Date/s of audit:	19 Dec 2019 - 19 Dec 2019
Date report created:	18 December 2019

Organisation details

Organisation's legal name:	Axiom Syndicate Pty Ltd as trustee for Axiom Syndicate Discretionary Trust
Trading name/s:	Axiom College
RTO number:	40489
CRICOS number:	N/A

Audit team

Lead auditor:	Scott Templeton
Auditor/s:	Sharyn Gillick

Audit details

Application number/s:	N/A
Audit number/s:	AUDREC0009978
Audit reason/s:	Compliance Monitoring
Address of site/s visited:	18 Mayneview Street Milton QLD 4064 Australia
Date/s of audit:	19 Dec 2019 - 19 Dec 2019
Organisation's contact for audit:	Beverley McKee Director bev@axiomcollege.com.au 0735108000

Original finding at time of audit

Audit finding: Concerning non-compliance

Report completed by: Scott Templeton

Practice	Standards for RTOs	Finding
Marketing/Recruitment Practices	4.1	Compliant
Enrolment	5.1, 5.2, 5.3	Compliant
Support and Progression	1.7	Compliant
Training and Assessment	1.1, 1.2, 1.3, 1.8*, 1.13, 1.14, 1.16	Not compliant
Completion	3.1	Compliant

*Indicates a non-compliant clause

Background

Summary of organisation and management structure:

- The organisation was formed 25 years ago by CEO – Bev Mckee. The organisation consists of, Director – Mike Brisbane, Training and Quality Manager – John Woodward, Operations Manager – Tamara Pitts, 20 x fulltime staff and contracted Trainers & Assessors.

Scope of organisation's registration:

- Please see <https://training.gov.au/Organisation/Details/40489>

Suburb and state of all delivery sites:

- Milton –Queensland
- Hervey Bay – Queensland
- Mackay - Queensland

Third party usage:

- No Third party arrangements

Core clients/target groups:

- School based traineeships, employees wishing to upskill and people wishing to get back into the workforce.

Training Revenue (Funded or fee for service):

- Funding and fee for service

Total number of current enrolments in the organisation as at audit date:

- 1360

In preparing the audit report, consideration has been given and reference made, where relevant, to:

- Information provided by students as part of a student survey or interview.
- Information provided directly by Axiom Syndicate Pty Ltd as trustee for Axiom Syndicate Discretionary Trust to ASQA.
- Existing information and records held by ASQA concerning Axiom Syndicate Pty Ltd as trustee for Axiom Syndicate Discretionary Trust.
- Information provided to ASQA's auditors and documentation reviewed during the site audit of Axiom Syndicate Pty Ltd as trustee for Axiom Syndicate Discretionary Trust conducted on 19 Dec 2019 - 19 Dec 2019.
- Other publicly available information - including but not limited to, information published on the organisation's and third-party websites.

Audit Sample

Training Products	Mode/s of delivery/assessment*	Current enrolments
<i>BSB30415 Certificate III in Business Administration</i>	Face to face / distance	148
<i>CHC33015 Certificate III in Individual Support</i>	Face to face	72
<i>CHC50113 Diploma of Early Childhood Education and Care</i>	Face to face	39
<i>HLT23215 Certificate II in Health Support Services</i>	Face to face	83

CPCWHS1001 Prepare to work safely in the construction industry

Face to face

0

SIT20316 Certificate II in Hospitality

*Apprenticeship, Traineeship, Face to face, Distance, Online, Workplace, Mixed, Other (specify)

Interviewees

Name	Position	Training products
Mike Brisbane	Director	N/A
Bev McKee	CEO	N/A
Tamara Pitts	Operations Manager	N/A
John Woodward	Training & Quality Manager	N/A

About this Report

This report details findings against the *Standards for Registered Training Organisations (RTOs) 2015* (Standards for RTOs). If non-compliance has been identified, this report describes evidence of the non-compliance.

Where non-compliance has been identified, the Registered Training Organisation is accountable for identifying and correcting non-compliant practices and behaviours, particularly those that have had a negative impact on learners.

Correcting a non-compliance may require:

- correcting a process or system that has led to the non-compliance, and implementing a revised process or system
- identifying the impact on learners and carrying out remedial action for current and past learners

Original action required by Organisation

Axiom Syndicate Pty Ltd as trustee for Axiom Syndicate Discretionary Trust did not meet all requirements for clauses

Standards for RTOs: 1.8

Remedial action is required for the following training products:

CHC33015 Certificate III in Individual Support

CHCAGE005 Provide support to people living with dementia

CHC50113 Diploma of Early Childhood Education and Care

CHCECE005 Provide care for babies and toddlers

The organisation is required to provide evidence that demonstrates:

Standards for RTOs:

1.8

- the organisation has corrected its assessment system (to comply with Clause 1.8) for future students and has systems in place to ensure it is this system that is applied. The evidence to be provided must demonstrate the organisation will implement an assessment system that ensures assessment will be conducted in accordance with the Rules of Evidence. Remedial action needs to cover current students and students who were assessed by your organisation in the past one month.

Areas of non-compliance

Training and Assessment

Training Delivery and Assessment

Standards for RTOs Clause 1.8

Original Finding: Not compliant

The RTO implements an assessment system that ensures that assessment (including recognition of prior learning):

- a) complies with the assessment requirements of the relevant training package or VET accredited course; and
- b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2.

Table 1.8.1 Principles of Assessment

Fairness	<p>The individual learner's needs are considered in the assessment process.</p> <p>Where appropriate, reasonable adjustments are applied by the RTO to take into account the individual learner's needs.</p> <p>The RTO informs the learner about the assessment process, and provides the learner with the opportunity to challenge the result of the assessment and be reassessed if necessary.</p>
Flexibility	<p>Assessment is flexible to the individual learner by:</p> <ul style="list-style-type: none">• reflecting the learner's needs;• assessing competencies held by the learner no matter how or where they have been acquired; and• drawing from a range of assessment methods and using those that are appropriate to the context, the unit of competency and associated assessment requirements, and the individual.
Validity	<p>Any assessment decision of the RTO is justified, based on the evidence of performance of the individual learner.</p> <p>Validity requires:</p> <ul style="list-style-type: none">• assessment against the unit/s of competency and the associated assessment requirements covers the broad range of skills and knowledge that are essential to competent performance;• assessment of knowledge and skills is integrated with their practical application;• assessment to be based on evidence that demonstrates that a learner could demonstrate these skills and knowledge in other similar situations; and• judgement of competence is based on evidence of learner performance that is aligned to the unit/s of competency and associated assessment requirements.
Reliability	<p>Evidence presented for assessment is consistently interpreted and assessment results are comparable irrespective of the assessor conducting the assessment.</p>

Table 1.8.2 Rules of Evidence

Validity	<p>The assessor is assured that the learner has the skills, knowledge and attributes as described in the module or unit of competency and associated assessment requirements.</p>
Sufficiency	<p>The assessor is assured that the quality, quantity and relevance of the assessment evidence enables a judgement to be made of a learner's competency.</p>
Authenticity	<p>The assessor is assured that the evidence presented for assessment is the learner's own work.</p>

Currency	The assessor is assured that the assessment evidence demonstrates current competency. This requires the assessment evidence to be from the present or the very recent past.
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- The following evidence was reviewed:
 - *CHC33015 Certificate III in Individual Support*
 - *CHCAGE005 Provide support to people living with dementia*
 - CHCAGE005 Student logbook
 - CHCAGE005 Marking Guide
 - CHCAGE005 Student Assessment
 - *CHC50113 Diploma of Early Childhood Education and Care*
 - *CHCECE005 Provide care for babies and toddlers*
 - CHC50113 Student logbook
 - CHCECE005 Marking Guide
 - CHCECE005 Student Assessment
- The following analysis provides guidance on the areas of non-compliance. Examples of non-compliances are provided however, this is not an exhaustive list. It is the organisation's responsibility to review the assessment system for each unit of competency for all non-compliances identified below and provide evidence:
 - of a revised assessment system for each unit of competency listed above that addresses all requirements of Clause 1.8.
 - that confirms students were assessed as meeting all the requirements of the training product(s) in which they were enrolled.
- Validity and Sufficiency - the assessment tools do not address all unit of competency requirements. For example:
 - Knowledge Evidence:
 - CHCAGE005:
 - Up to date research on dementia and the different manifestations of dementia, including:
 - Lewy bodies
 - excessive alcohol intake or Korsakov Syndrome
 - Parkinson's disease
 - younger onset dementia
 - dementia as a progressive neurological condition, including pathological features:
 - loss of connection between cells and cell death
 - competency and image enhancement as a means of addressing devaluation
 - CHCECE005:
 - recommendations for oral health, including restricting bottles meal times only
 - emotional, physical and language development of babies and toddlers
 - attachment theory
 - brain development in babies and toddlers
- Reliability - the assessment tools do not contain sufficient performance benchmarks for each skill and/or behaviour to be demonstrated; therefore, it cannot be confirmed that all training package requirements will be met and that consistent judgements will be made across a range of students and assessors. For example:
 - CHCECE005: Students are required to provide care to at least three different babies and toddlers of varying ages using safe and hygienic practices in a workplace for Activity 1 in Assessment Part B. The assessment criteria for this activity is a copy of the performance evidence and does not contain benchmarks for each skill and/or behavior to be demonstrated.
- The assessment practices for the following students do not confirm the organisation conducted adequate assessment of the students that ensured they were competent against all requirements

of the training product and that the assessment was conducted in accordance with the Principles of Assessment and the Rules of Evidence. For example, but not limited to:

- CG assessed 17/07/2019
- DBL assessed 10/08/2019
- FN assessed 17/07/2019
 - CHCAGE005: due to the non-compliance stipulated above, these students were not assessed against all requirements of the training product.
- JN assessed 6/08/2019
- JM assessed 3/09/2019
 - CHCECE005: due to the non-compliance stipulated above, these students were not assessed against all requirements of the training product and assessment was not conducted in accordance with the Principles of Assessment.