



**New South Wales Government**  
Department of Premier and Cabinet

# Panel Conditions: Registered Group Training Organisations

July 2009

# CONTENTS

1. Purpose .....	3
2. Definitions .....	3
3. Applications.....	3
Applications for the Panel.....	3
Confidentiality.....	4
Panel selection process.....	4
Evaluation criteria .....	4
Interview with Evaluation Committee.....	5
Notification of outcome.....	5
Special requirements.....	5
4. Panel operation .....	6
Code of practice for procurement.....	6
Performance management .....	6
Temporary suspension .....	6
Removal from the Panel .....	7
Review of Evaluation Committee decision .....	7
Publicity .....	7
Applicant's acknowledgement .....	7
Disclaimer.....	8
No guarantee of work.....	8
Review of the Panel.....	8
APPENDIX A: REGISTRATION FORM.....	9
APPENDIX B: PERFORMANCE REPORT BY AGENCY .....	20

## 1. Purpose

A key component of the NSW Government's job strategy is the employment of a minimum of 1,000 new apprentices each year, for the next four years, through government funded initiatives.

Premier's Memorandum 2009-07, issued in March, requires apprentices to be recruited and hosted by public sector agencies. Agencies will be responsible for ensuring that contractors comply with the requirements of the *Training Management Guidelines*, including requisite supervising tradesmen ratios and support for apprentices to meet their ongoing vocational training needs.

A number of NSW public sector agencies currently use the services of group training organisations to employ and manage apprentices and trainees. These arrangements are expected to continue. However, it is expected that the use of group training services will rise across the sector as more agencies engage group training organisations to help them meet the Premier's requirements to employ and host new apprentices.

In order to support agencies meet their commitments, the Department of Premier and Cabinet is proposing to establish a panel of registered group training organisations to streamline the procurement process for engaging group training services across the public sector.

## 2. Definitions

Agency includes NSW Government departments, statutory authorities, statutory corporations, and government business enterprises.

Applicant is a person who has submitted an Expression of Interest for registration on the Panel.

Application is a written application for inclusion on the Panel in the form prescribed in Appendix A: Registration Form

Department is the Department of Premier and Cabinet

Evaluation Committee is a minimum of three (3) senior officers nominated by the Department to determine the eligibility of Service Provider to be included on the Panel.

Panel is the Panel of Registered Group Training Organisations.

Service Provider is a person, or company, which has applied for, and been granted inclusion on the Panel.

## 3. Applications

### *Applications for the Panel*

- 2.1 Applications must be completed and in the form prescribed in *Appendix A: Registration Form*.

- 2.2 Application must be submitted in accordance with instructions set out in *Appendix A: Registration Form*.
- 2.3 Only those applications which fully satisfy all requirements set out in this document and in Appendix A will be considered by the Evaluation Committee.

### *Confidentiality*

- 2.4 Information submitted with an Application will be treated as confidential by NSW Government agencies unless otherwise required by law.
- 2.5 Information submitted with an Application may be subject to investigation, reference checks, searches, interviews, enquiries and confirmation and Applicants and Service providers are deemed to have authorised any such action.

### *Panel selection process*

- 2.6 The Evaluation Committee will determine the membership of the Panel to be formed.
- 2.7 The Panel to be formed will comprise Service Providers who are deemed to be qualified following the evaluation of Applications submitted in the form prescribed in Appendix A, and in accordance with conditions set out in this document.
- 2.8 Applications may be made at any time during the life of the Panel. Applications will be assessed periodically at the discretion of the Evaluation Committee.

### *Evaluation criteria*

- 2.9 Applications will be assessed according to the following evaluation criteria:

That the Service Provider:

- a) Is a registered group training organisation in New South Wales under the *Apprenticeship and Traineeship Act 2001* as at 18 May 2009, and complies with the National Standards for Group Training Organisations.
- b) Can demonstrate its experience and a good track record in managing apprentices through:
  - i. sourcing candidates and deployment to host employers
  - ii. continuing apprentices in training during downtimes<sup>1</sup>
  - iii. provision of support services for apprentices and host employers to boost retention and completion
- c) Can demonstrate its capacity to work with diverse groups in the community and facilitate employment opportunities for Aboriginal apprentices.
- d) Can demonstrate effective links with industry and employers.
- e) Can demonstrate a record of achieving high (above industry average) rates of apprenticeship completion and evidence of ability to fast-track apprenticeship completion.
- f) Has sound evidence of financial viability, including demonstrated effective record keeping and administration.

---

<sup>1</sup> Downtime refers to those periods when no employment can be found for an apprentice.

- g) Can demonstrate its capacity to service public sector related industries and geographical locations, including capacity to liaise with contractors and government agencies to ensure that requirements of the NSW Government's *Training Management Guidelines* are met (including size of capital expenditure, supervising tradesmen ratio, provision of on-the-job training, and compliance with vocation requirements).

#### *Interview with Evaluation Committee*

- 2.10 Where further clarification is required, an Applicant may be invited to attend an interview with the Evaluation Committee.
- 2.11 No further discussions will be undertaken during the Application evaluation process.

#### *Notification of outcome*

- 2.12 The Evaluation Committee may accept an Application (with or without limitation) or reject the Application.
- 2.13 The NSW Department of Commerce will notify all Applicants of the outcome of their Application in writing.
- 2.14 The NSW Department of Premier and Cabinet will notify all NSW public sector agencies of the outcome of Panel selection.

#### *Special requirements*

- 2.15 Members of the Panel are subject to the following conditions:
  - a) Service Providers must ensure that they carry out the following checks on employees and contractors who are in contact with children under the age of 16 years, in accordance with the NSW Government's *The Commission for Children and Young People Act 1998* and *The Child Protection (Prohibited Employment) Act 1998*. Information about the obligations Service providers under these Acts can be obtained from:  
<http://www.kids.nsw.gov.au/kids/working.cfm?CFID=3064598&CFTOKEN=72741511>  
or phone 9286 7219.  
The costs of the check is to be borne by the Service Provider.
  - b) Service Providers have the capability and capacity to undertake the requirements set out in Part B of Appendix A.
  - c) Service Providers must ensure compliance with necessary NSW legislation, including the *Privacy and Personal Information Protection Act 1998* and *NSW Anti-Discrimination Act 1977*.
  - d) Service Providers selected for the Panel will enter into a mutually acceptable Deed of Agreement.
  - e) In addition, for each engagement that the Service Provider is selected, the Service Provider will enter into an individual agreement with the Agency. The individual agreement should include an outline of services to be provided, service performance levels and a statement of fees to be charged for that engagement.

- f) Service Providers must immediately inform the Department of any significant change in their financial capacity, capability, ownership status, contact details or address, in writing, with full details to:

Director, Workforce Strategy  
Department of Premier and Cabinet  
Level 17, Bligh House  
4-6 Bligh Street  
SYDNEY NSW 2000

## 4. Panel operation

### *Code of practice for procurement*

- 3.1 Applicants and Service Providers must adhere to the NSW Government *Code of Practice for Procurement* at all times.
- 3.2 Any breach of the NSW Government Code of Practice for Procurement may result in the termination of an engagement and/or removal from the Panel.

### *Performance management*

- 3.3 An Agency must submit a Performance Report in the form prescribed in Appendix B to the Evaluation Committee at the Department where the performance of, and the services provided by, the Service Provider are considered by the Agency to be unsatisfactory.
- 3.4 A Performance Report may be submitted:
- a) at the completion or termination of the relevant engagement; or
  - b) when a critical; aspect of performance is unsatisfactory.

### *Temporary suspension*

- 3.5 The Evaluation Committee may suspend a Service provider from the Panel for up to three (3) months if it considers that the Service provider has:
- a) not complied with the Panel conditions; or
  - b) demonstrated unsatisfactory performance.
- 3.6 The Evaluation Committee will advise the Service provider of the reasons for the suspension and any actions by the Service provider required to lift the suspension. A Service provider must inform the Evaluation Committee if and when action required to lift the suspension have been undertaken.
- 3.7 The Evaluation Committee will regularly review the status of Service providers who have been suspended under clause 3.5. If action taken by the Service provider is considered by the Evaluation Committee to be insufficient, the suspension period may be extended and the Service provider will be notified accordingly. The Evaluation Committee may revoke the suspension if it is satisfied that the Service Provider has taken appropriate action to address the reason for the suspension.

### *Removal from the Panel*

- 3.8 The Evaluation Committee may revoke a Service Provider's inclusion on the Panel if the Evaluation Committee considers the Service provider has:
- a) breached the Panel Conditions; or
  - b) failed to meet applicable financial requirements; or
  - c) been the subject of substantiated reports of unsatisfactory performance for other NSW Government agencies; or
  - d) been determined by the Evaluation Committee as not suitable for future work; or
  - e) provided unsatisfactory tendering performance with tenders submitted to Agencies;  
or
  - f) experienced an adverse change in capacity or capability to deliver services; or
  - g) Experienced an adverse change in business status; or
  - h) Failed to promptly and adequately address the reasons for a temporary suspension from the Panel under clause 3.5; or
  - i) Been convicted of a breach of obligations under NSW occupational health and safety legislation, child protection legislation or environmental protection legislation; or
  - j) Otherwise failed to meet the standards required of the Panel in terms of service provision, business management systems, client satisfaction and ethical business practices.

### *Review of Evaluation Committee decision*

- 3.9 Where a Service provider considers that there are substantive grounds for the Evaluation Committee to reconsider its decision under clause 3.5 and 3.8, the Service provider may request a review of the decision in writing, providing full details of the reasons for the request for the review to:

Director, Workforce Strategy  
Department of Premier and Cabinet  
Level 17, Bligh House  
4-6 Bligh Street  
SYDNEY NSW 2000

- 3.10 The Evaluation Committee will inform the Service provider of the outcome of the review.

### *Publicity*

- 3.11 Service Providers must not advertise, promote or publicise in any form their Application for, or inclusion on, the Panel without written consent of the Department of Premier and Cabinet.
- 3.12 All NSW government agencies will be advised of the current membership of the Panel.

### *Applicant's acknowledgement*

- 3.13 In applying for inclusion on the Panel, the Applicant agrees that it accepts the Panel Conditions.

### *Disclaimer*

3.14 The Evaluation Committee reserves the absolute discretion to:

- a) accept an Application with or without conditions;
- b) reject an Application;
- c) suspend a Service providers inclusion on the Panel; and
- d) revoke a Service provider inclusion on the Panel.

3.15 The Evaluation Committee will not be held liable for any costs or damages incurred by the Service provider in the exercise of such discretion.

### *No guarantee of work*

3.16 The inclusion of a Service provider does not guarantee:

- a) ongoing inclusion on the Panel for the life of the Panel;
- b) receipt of opportunities to tender; or
- c) that engagements or work of any kind or quantity will be offered.

### *Review of the Panel*

3.17 The Panel will be monitored by the Department to ensure that the objectives and intent of the Panel are met. Changes may be made to the Panel at the Department's discretion during the life of the Panel.

## APPENDIX A: REGISTRATION FORM

### PANEL OF REGISTERED GROUP TRAINING ORGANISATIONS REGISTRATION FORM

HAND WRITTEN APPLICATIONS WILL NOT BE ACCEPTED

#### Registration checklist

- Completed Registration Form in MS WORD (or compatible software application)
- THREE Applicant Referee Reports (Template in Part G). These to be scanned and electronically inserted or pasted in to the Registration Form and saved as a single electronic file.

Please complete Registration Form as a single electronic (MS WORD or Acrobat PDF) file and return to <https://tenders.nsw.gov.au/commerce/>

or by hand or post to:

Tender Box  
Department of Commerce  
McKell Building  
2-24 Rawson Place  
SYDNEY NSW 2000

## PART A: ORGANISATIONAL DETAILS

### Contact details

Legal name:			
Trading name (if different):			
Contact person:			
Position title			
Registered business address:			
Postal address			
Phone:		Mobile:	
Fax:		Email:	

### Organisation status

Type of organisation:  Sole trader  Company  Partnership

Other type (please describe):

Date established:	
Australian Company Number (ACN):	
Australian Business Number: (ABN)	

## PART B: CURRENT SERVICES AND EXPERTISE

Applicants to indicate capacity and capability to provide the service types and specialties in the schedule below:

Current services and expertise	YES	NO
<b>Promotion &amp; marketing</b>		
Promote and market apprentice positions after needs assessment undertaken.		
Able to ensure all promotional and marketing for apprenticeship positions recruited to work on NSW government funded projects are branded consistently with NSW Government logo.		
<b>Recruitment &amp; selection</b>		
Develop position description where necessary		
Prepare advertisement		
Determine selection process and criteria		
Undertake selection process		
Undertake reference and quality checks		
Select program participants (apprentices)		
Arrange letters of offer and advises unsuccessful applicants		
<b>Establish external partnerships (incl. training providers)</b>		
Scope training requirements; identify and assess Registered Training Organisation (RTO); establish contract agreement; contact State Training Centre		
<b>Contract management</b>		
Prepare, where required, and manage apprentice 1) employment contract 2) training contract 3) contract between apprentice/trainee and RTO.		
Ensure mandatory requirements of apprenticeships are met, including vocational training and requisite 1 apprentice: 4 supervising tradesmen ratio.		
<b>Induction &amp; on-boarding</b>		
Outline arrangement re: payroll system; superannuation; workers compensation		
Arrange workplace orientation and basic training, including OH&S; Safety; manual handling; code of conduct; basic skills etc.		
Induction to training plan and the workplace		
<b>Work placement/ appointment</b>		
Arrange on-the-job training plan and workbook; introduction to supervisor, duty statement and performance management plan; on-the-job training		
Monitor by Australian Apprenticeship Centre and Registered Training Organisation (RTO) throughout placement		
Ensure work placements available throughout apprenticeship, rotating apprentice through different workplaces to meet training requirements		
Ensure apprentice successfully completes apprenticeship assessments.		
<b>Supervision/ performance management</b>		
Agreed performance plan in place		
Plan for regular supervision		
Clearly defined expectation of apprentice and supervisor		
Provision of support mechanisms, including pastoral care		
Regular review dates and expectations		
Day-to-day management		
Co-ordinate supervision		
<b>Training delivery</b>		
Identify and define individual training needs and method of training delivery		
Establish agreement with host employers for release of apprentices undertake off-the-job training		

Current services and expertise	YES	NO
Ensure assessments planned, undertaken and recorded (according to requirement of assessment – RTO, supervisor, assessor)		
Ensure training completed within agreed timeframe (apprenticeship contract)		
Ensure competency outcomes met (issued by RTO and DET on completion)		
Manage (process) non-competency (apprentices assessed as not competent against specific requirements).		
<i>Other services (Please specify if appropriate)</i>		
-		
-		
-		
-		

Comments (where Applicant has indicated 'NO' in the service schedule above):



**PART D: OTHER NSW GOVERNMENT PROCUREMENT PANELS**

Applicant to indicate if it is registered on other NSW Government procurement panels or prequalification schemes.

**PART E: INSURANCE**

Applicants are required to maintain current policies of insurance for Public Liability and Workers Compensation. Please electronically insert/paste a copy of the documents in this section or attach it to the Registration Form.

**PART F: RATES/COST OF SERVICES**

For the purpose of assessment a detailed breakdown of proposed charges and flexible fee structuring proposals is to be provided. This may include a range of fees for different services and personnel that may be engaged in an apprenticeship placement.

Work allocated to Service providers will be the subject of a separate engagement agreement in each matter with Agencies. It is expected that each engagement agreement will reflect competitive rates for the particular service and the nature and extent of the services to be provided at that time.

Breakdown of proposed charges and proposals for flexible fees structuring:

Hourly rates Hourly rate for apprentice placement	\$ per hour
Costing basis Please indicate charges for those services which are not costed as a 'time spent' basis.	
Disbursements and charges Please provide details of any proposed disbursement charges which may apply in a standard engagement	
Alternative Costing Proposal Please outline other costing system which may be advantageous for engaging Agencies to consider.	

**Settlement Discounts**

Applicants should note that the NSW Government's normal Terms of payment are within 30 days of the receipt of an invoice.

Applicants should indicate the settlement offered:

(a) \_\_\_\_% for payment within 14 days from the date of receipt of invoice.

(b) \_\_\_\_% for payment within \_\_\_\_days from the date of receipt of invoice.

If this condition is not completed, the prices offered will be deemed to be in accordance with the Government's normal Terms of payment.

## PART G: APPLICANT REFEREE REPORTS

Evidence of client satisfaction based on current or completed engagements in the last three years in the types of services relevant to those sought under this application, as listed in Part B of this form.

Evidence must be provided in the form of the *Applicant Referee Report* provided.

Three (3) *Applicant Referee Reports* are to be provided. Copies of Signed *Applicant Referee Reports* must be attached to the Registration Form.

Current engagements must have commenced at least 12 months prior to 5 June 2009.

Where the client is reporting on more than one engagement, a separate Applicant Referee Report must be used for each engagement.

Applicant Referee Reports will only be considered:

- for engagements where a fee in full has been paid by the client to the Applicant
- where the engagements were conducted in the last three (3) years
- where the engagement is in the area(s) set out in Part B of this form
- where the Applicant Referee Reports (showing key performance areas) have been submitted
- if they have been signed by the client or their representative.

**IMPORTANT:** Applicants must provide Applicant Referee Reports and demonstrate recent history of consistent good performance to meet the mandatory requirements.

The Department of Premier and Cabinet or the Department of Commerce may choose to contact a Client to verify or clarify any aspect of the Applicant Referee Reports submitted by the Applicant. Engaging agencies may also contact these or other referees relevant to a particular engagement.

[CLIENT LETTERHEAD to be inserted HERE  
 – Client Company Name, Address, ABN and Logo to be clearly visible]

## APPLICANT REFEREE REPORT

This report may be used to support the application of a Group Training Organisation for a Panel of Registered Group Training Organisations (GTO).

To be completed by the GTO client on the Client’s Company Letterhead.

The NSW Department of Premier and Cabinet and/or the NSW Department of Commerce may contact the Client to verify or clarify aspects of this Report

Engagements/services must have been commenced and continuing, or completed, since 1 January 2002.

GTO Name:		
GTO Contact person	Phone	
Service description:		
Date engagement/service commenced:	Date completed (if applicable)	
Total fee for service to GTO (inclusive of GST):		

How well has the Group Training organisation provided the following services?

- Recruitment and selection of apprentice(s)
- Establishing partnerships (in industry and with Registered Training Organisations which meet your organisation’s need(s) e.g. with TAFE
- Management of Host Employer contract, including checks for on-the-job training and tradesmen to apprentice ratio.
- Induction and on-boarding of apprentice (ensuring apprentice understands their obligations, including OH&S)
- Work placement (arrangement of on-the job training and performance plans)
- Supervision and performance management (GTO has performance plans with apprentice, regular supervision, regular performance reviews, and support mechanisms for apprentice)
- Training delivery (GTO clearly outlined on-the-job training requirements and assessments)
- General:*
- Time management* e.g meeting milestones, resourcing, planning and reporting)
- Management and expertise of GTO personnel* e.g. skills,

Not applicable	Unsatisfactory	Marginal	Acceptable	Good	Superior

How well has the Group Training organisation provided the following services?

experience, sufficient numbers, appropriate senior staff used)

*Standards of Service* e.g. meeting your brief, budget, value for money, no over- or under-servicing

*Quality outcomes* e.g. effective and reliable service of a high standard

*Cost* – actual cost did not exceed cost estimate/quote without prior agreement

*Communication* – appropriate level of communication and reporting

*Information technology* – appropriate use of IT to increase efficiency and reduce costs

*Co-operative relationships* e.g. co-operative approach, commitment, resolving issues

Future work?

Would you use the services of this GTO again in the future?

Recommend to others?

Would you recommend the GTO's services to other businesses

Not applicable	Unsatisfactory	Marginal	Acceptable	Good	Superior
YES			NO		

## PART H: STATEMENT

This Statement is to be signed and dated to verify the completeness and authenticity of the information provided in the Application. The Statement must be signed by the director of the company, partner of a partnership or sole trader, as applicable to the Applicant's business arrangements. Applications which are incomplete or found to be misleading or inaccurate may be further considered.

As the Director/Partner/Sole Trader of the firm submitting this application, I confirm the completeness and authenticity of the information in this application.

Signature of Applicant:  
(scanned signature is acceptable)

Name:

Position title:

Date:


## APPENDIX B: PERFORMANCE REPORT

### PERFORMANCE REPORT BY AGENCY

This report is to be used by NSW Government agencies to report of the performance of a Group Training Organisation (GTO).

#### AGENCY DETAILS

Agency name:

Contact person

Position:

E-mail

Service description:

Date engagement/service commenced:

Total fee for service to GTO (inclusive of GST):

Agency name:		
Contact person		
Position:		
E-mail	Phone	
Service description:		
Date engagement/service commenced:	Date completed (if applicable)	
Total fee for service to GTO (inclusive of GST):		

#### GROUP TRAINING ORGANISATION DETAILS

GTO Name:

Address:

GTO Contact person:

Position:

E-mail:

GTO Name:		
Address:		
GTO Contact person:		
Position:		
E-mail:	Phone	

How well has the Group Training organisation provided the following services?

Recruitment and selection of apprentice(s)

Establishing partnerships (in industry and with Registered Training Organisations which meet your organisation's need(s) e.g. with TAFE

Management of Host Employer contract, including checks for on-the-job training and tradesmen to apprentice ratio.

Induction and on-boarding of apprentice (ensuring apprentice understands their obligations, including OH&S)

Work placement (arrangement of on-the job training and performance plans)

Supervision and performance management (GTO has performance plans with apprentice, regular supervision, regular performance

	Not applicable	Unsatisfactory	Marginal	Acceptable	Good	Superior
Recruitment and selection of apprentice(s)						
Establishing partnerships (in industry and with Registered Training Organisations which meet your organisation's need(s) e.g. with TAFE						
Management of Host Employer contract, including checks for on-the-job training and tradesmen to apprentice ratio.						
Induction and on-boarding of apprentice (ensuring apprentice understands their obligations, including OH&S)						
Work placement (arrangement of on-the job training and performance plans)						
Supervision and performance management (GTO has performance plans with apprentice, regular supervision, regular performance						



