

LATROBE COLLEGE OF ART AND DESIGN

Policy

RECORD KEEPING & RETENTION

VET Student Loan Rules 2016 // ESOS National Code 2018 // ESOS ACT 2000 // Standards for RTOs 2025

Policy

Here is a comprehensive **Policy and Procedure for LCAD** that aligns with:

- ESOS National Code of Practice 2018 – Standard 3.6 Must retain student records for two years (2). However, ESOS ACT 2000 requires an RTO to keep most records for **seven years (7)**.
- Standards for RTOs 2025 Clause 10: Records of AQF certification documentation and assessments for thirty years (30). Other student and teacher records must be retained for between 2 and 5 years. LCAD will retain for **seven years (7)** to cover all compliance bodies.

Evidence of student assessment submissions must be retained for **six months (6)**

- VET Student Loans Rules 2016 – Section 105: Information and documents to be retained for five years 5. (LCAD will keep all required documents for **seven years (7)**)

LCAD Policy and Procedure: Records Management and Document Retention

This policy outlines how LCAD ensures the secure and compliant management, storage, and retention of:

- Evidence of student assessment submissions.
- AQF certification documentation.
- Student assessment records.
- Enrolment and progression documentation.
- VET Student Loan-related documents.
in accordance with legislative and regulatory requirements.
- Agent Agreements.

This policy applies to:

- All staff involved in issuing AQF certification,
- Academic and administrative staff responsible for assessments,
- Staff handling VET Student Loan enrolments and documentation,
- Current and past students of LCAD.

LCAD is committed to ensuring all records are:

- Accurately maintained,
- Securely stored,
- Retained for required timeframes,
- Accessible to students upon request,
- Auditable by regulators and relevant authorities.

This is in line with:

Assessment Evidence, AQF Certification Documentation (Certificates, SoAs)

- AQF certification records are retained for a minimum of **thirty years (30)** (digital backup and cloud secure archive).
- LCAD will keep evidence of student assessment submissions for **six months (6)**.
- Records of all completed student assessment results, including assessment tools, assessor feedback, and student progress, are retained for at **least seven years (7)** from the date the student is no longer enrolled at LCAD.
- Stored in LCAD's secure student management system (SMS) and LCAD student digital files and backed up constantly.
- Access is limited to authorised academic and compliance staff.
- Hard copies (if required) are securely stored.
- Students can request supervised access to their records at any time in writing.

VET Student Loans Documentation

In line with Section 105 of the VET Student Loans Rules 2016, LCAD retains:

- Evidence of student eligibility (e.g. citizenship, TFN, LLN results),
- Enrolment and progression records,
- Electronic Commonwealth Assistance Forms (eCAF),
- Census day notifications and tuition fee schedules,
- Grievance and complaint handling records.

The standards require that all documents be retained for a minimum of 5 years; however, to cover all compliance bodies, LCAD will retain them for **seven years (7)** from the date the student is no longer enrolled at LCAD.

General College Records

- All Teacher records are retained for **two years (2)** after the teacher has ended their employment at LCAD.
- Other records, such as agents and third party and contracts, and financial records are retained for **seven years (7)**.

Data Storage and Security

- Digital records are stored on encrypted, secure cloud systems with access logs.
- Hard copies (where required) are stored in locked, access-controlled cabinets.
- Regular data backups and reviews are performed to ensure integrity and availability.

Access and Privacy

- Students may request access to their records in writing. Requests are processed within ten business days (10).
- All personal and sensitive information is handled in accordance with the Privacy Act 1988 (Cth) and Australian Privacy Principles (APPs).

Destruction and Archiving

- Records are securely destroyed after the retention period lapses unless kept to assist students with RPL requests or further study at LCAD.
- Certification documentation is never destroyed within **thirty years (30)**.

Responsibilities

See Organisation Chart

Review

This policy and procedure will be reviewed annually, or more frequently if regulatory changes occur.

The Checklist Record Keeping and Retention will be used to complete the annual review, and outcomes will be recorded and approved by LCAD's coordinator or the College Quality Board.

1. Standards for RTOs 2025 (Draft, expected implementation Jan 2025)

- Clause 3.2: An RTO must retain sufficient evidence of assessment for each unit or module for a minimum of 6 months from the date on which the decision on competence for the unit or module was made.

This evidence must be sufficient to demonstrate:

- The assessment was conducted in accordance with the Principles of Assessment and Rules of Evidence.
 - The student was assessed as competent or not yet competent.
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2. VET Student Loans Rules 2016

- Section 105 – Information and documents to be retained for 5 years:
 - RTOs must retain, for at least 5 years, documents including:
 - Applications for VET student loans
 - CANs (Commonwealth Assistance Notices)
 - Invoices and notices
 - Tuition fee schedules
 - Evidence of student progression and engagement
 - Course withdrawal or re-crediting documentation
 - Assessment outcomes and academic records

 While Section 105 doesn't explicitly state "*assessment tools*", it's prudent to retain them alongside outcomes for audit traceability.

3. ESOS National Code of Practice 2018 (International Students)

- Standard 3.6 and 7.6:
 - Student records must be retained for at least 2 years after the student ceases to be an accepted student (i.e., after completion or cancellation).
 - This includes:
 - Academic records (e.g. course progress)
 - Course enrolment and attendance
 - Records of deferment, suspension, or cancellation

 Note: While this standard applies to CRICOS providers, it doesn't directly specify assessment tools retention, but it implies that course progress evidence (including assessments) should be available for 2 years.

Summary of Retention Requirements by Framework

Regulatory Framework	Retention Period	Applies to
Standards for RTOs 2025	6 months	Domestic students – all assessments
VET Student Loans Rules 2016	5 years	VSL-approved courses/students
ESOS National Code 2018	2 years	CRICOS/international students

Retention of Records for 7 Years – ESOS Act 2000

Section 21 of the ESOS Act 2000 – Record Keeping Obligations

An education provider must **keep records of each accepted student for at least 7 years**, including:

1. **Student's Written Agreement**
 - This is the **signed agreement** under Standard 3 of the National Code, detailing:
 - Course(s) offered
 - Fees and refund policy
 - Conditions of enrolment
 - Acceptance of terms by the student
 - This agreement must be retained for 7 years after the student **ceases** to be an accepted student.
2. **Records of Payment**
 - All **tuition fees and non-tuition fees** paid by the student
 - Any refunds issued
 - Associated financial transactions
3. **Student Identity and Contact Information**
 - Copies of passport and visa
 - Current address and contact details
 - Updates to contact details throughout enrolment
4. **Course Progress and Enrolment Details**
 - Start and end dates of enrolment
 - Any variations (e.g., deferrals, suspensions, withdrawals)
 - Academic progress and results
 - Attendance (where required)
5. **Transfer Requests and Responses**
 - If a student requests to transfer between providers (Standard 7 of the National Code), all correspondence, decisions, and supporting documents must be retained.

Relevant Clause in National Code 2018 – Standard 3.6

- While the **National Code 2018** refers to retention of records for **at least 2 years** after the student ceases to be an accepted student, this does **not override** the **7-year requirement** under the ESOS Act for specific record types like the **written agreement**.

Summary Table

Record Type	Retention Period	Legislative Source
Written agreement (student contract)	7 years	ESOS Act 2000, Section 21
Records of tuition fees/refunds	7 years	ESOS Act 2000, Section 21
Enrolment and progress records	7 years	ESOS Act 2000, Section 21
Student contact details	7 years	ESOS Act 2000, Section 21
Transfer requests and decisions	7 years	ESOS Act 2000, Section 21
Other general records (e.g., attendance, progress reports)	2 years after cessation	National Code 2018, Standard 3.6

Records RTOs Must Retain Under the Standards for RTOs 2025

1. Assessment Evidence

- **Clause 3.2**
 - **What to retain:**
 - Evidence used to determine competency for each unit or module.
 - Includes completed assessment tasks, assessor observations, records of results, and validation samples.
 - **Retention period:**
 - **Minimum 6 months** from the date the assessment decision was made.

2. Student Records (Enrolment, Progress, Completion)

- **Clause 2.6**
 - **What to retain:**
 - Enrolment details
 - Course progress records
 - Statements of attainment and qualifications issued (certification documentation)
 - Student contact details (including USI)
 - **Retention period:**
 - **30 years for records of qualifications and statements of attainment issued.**
 - This is to allow for reissue of certification documents at any time.

3. Trainer and Assessor Credentials

- **Clause 4.1**
 - **What to retain:**
 - Evidence that trainers and assessors meet vocational competency and training/assessment credential requirements.
 - Includes resumes, qualifications, industry currency, professional development, and mapping documents.
 - **Retention period:**
 - **For the duration of employment + recommended 2–3 years** after staff leave (for audit purposes).

4. Training and Assessment Strategies & Materials

- **Clause 2.1 – 2.4**
 - **What to retain:**
 - Training and assessment strategies (TAS)
 - Learning resources and assessment tools
 - Validation records
 - **Retention period:**
 - **Current versions** must be kept while in use.
 - **Archived versions** should be retained **for the duration of the product's use + recommended 2 years** for audit evidence.
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5. Third-Party Agreements

- **Clause 5.1–5.3**
 - **What to retain:**
 - Written agreements with third parties delivering training/assessment or recruitment services on behalf of the RTO.
 - **Retention period:**
 - **For the duration of the agreement + at least 2 years** after the agreement ends.
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6. Complaints and Appeals Records

- **Clause 6.2**
 - **What to retain:**
 - Records of formal complaints and appeals, investigation, resolution, and outcomes.
 - **Retention period:**
 - **Minimum 5 years** from the date of resolution.
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Summary Table – Key Records and Retention Periods

Record Type	Retention Period	Standard / Clause
Assessment evidence	6 months after decision	Clause 3.2
Certification documentation (qualifications, SOAs)	30 years	Clause 2.6
Student enrolment and progress	Retain as long as necessary for audit + 30 years for issued docs	Clause 2.6
Trainer and assessor competency evidence	Duration of employment + 2–3 years	Clause 4.1
Training & assessment strategies, tools, validation	Duration of use + 2 years (recommended)	Clause 2.1–2.4
Third-party agreements	Duration of agreement + 2 years	Clause 5.1–5.3
Complaints and appeals	5 years	Clause 6.2