



Evidence review report: CJAE Pty Ltd

RTO number:	22115
CRICOS number:	N/A
Date/s of review:	15 – 16 February 2021
Date report created:	5/03/2021

Organisation details

Organisation's legal name:	CJAE Pty Ltd
Trading name/s:	Angel Institute of Education THE ANGEL HAIR & BEAUTY INSTITUTE
RTO number:	22115
CRICOS number:	N/A

Review team

Lead reviewer:	Monica Alonso-Morales
Reviewer/s:	N/A

Review details

Application number/s:	
Review number/s:	EVRECC0003070
Review reason/s:	Sanction Evidence Review
Date review evidence received:	3 February 2021
Date/s review conducted:	15 – 16 February 2021

Review findings

Review finding: Compliant

Report completed by: Monica Alonso-Morales

Practice	Standards for RTOs	Finding
Training and Assessment	1.3, 1.5, 1.6, 1.13	Compliant
Regulatory Compliance / Governance	2.3, 8.2, 7.2	Compliant

*Indicates a non-compliant clause

Scope of review

Training Products	Mode/s of delivery/assessment*	Current enrolments
<i>CHC52015 Diploma of Community Services</i>	Face to face	0
<i>CHC43015 Certificate IV in Ageing Support</i>	Face to face	0

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

About this Report

This report details findings of evidence submitted with the reconsideration application in response to a notice of intent to make a decision.

Training and Assessment

Training Delivery and Assessment

Standards for RTOs Clause 1.3

Finding: *Compliant*

The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:

- a) trainers and assessors to deliver the training and assessment;
- b) educational and support services to meet the needs of the learner cohort/s undertaking the training and assessment;
- c) learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and
- d) facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.

Outstanding non-compliance

RTOs must provide students with access to necessary resources. This includes a sufficient number of proposed trainers and assessors who meet all the requirements of the Standards for RTOs 2015 proportioned to the proposed student numbers.

The evidence submitted for the only trainer and assessor nominated to deliver training and conduct assessment for CHC52015 Diploma of Community Services does not demonstrate that the organisation meets the requirements for Clause 1.13.

Audit Finding:

Not compliant with Clause 1.3.

The organisation has not demonstrated that only persons who meet all requirements of the Standards will deliver training and/or conduct assessment.

Analysis of evidence submitted 3 February 2021

Included with its reconsideration application, the provider submitted the below evidence to address the findings of non-compliance for this clause:

- Angel Institute Response Action Plan
- Raveena Khan Letter of Currency
- Raveena Khan Resume.

The provider has addressed the non-compliance for future students.

Finding following additional evidence:

Compliant.

Standards for RTOs Clause 1.5

Finding: *Compliant*

The RTO's training and assessment practices are relevant to the needs of industry and informed by industry engagement.

Standards for RTOs Clause 1.6

Finding: *Compliant*

The RTO implements a range of strategies for industry engagement and systematically uses the outcome of that industry engagement to ensure the industry relevance of:

- a) its training and assessment strategies, practices and resources; and
- b) the current industry skills of its trainers and assessors.

Outstanding non-compliance

RTOs must be able to demonstrate that all strategies for training and assessment have been developed in response to information obtained through engaging with industry stakeholders.

The organisation has failed to demonstrate it complies with this requirement for the following reasons:

- the self-assessment form lists a number of industry representatives with whom engagement occurred; however, no specific evidence of the consultation with those representatives was provided nor, was there specific evidence to demonstrate how or that any of the recommendations/outcomes provided by industry has been implemented within those strategies that were provided
- the training and assessment strategies refer to strategies used by the organisation to engage with relevant industry stakeholders for the purposes of Clause 1.6, however, no evidence was submitted to confirm this.

Audit Findings:

Not compliant with Clauses 1.5 and 1.6.

The organisation has not demonstrated that it has engaged with relevant industry stakeholders in determining its delivery of training and/or conduct of assessment.

Analysis of evidence submitted 3 February 2021

Included with its reconsideration application, the provider submitted the below evidence to address the findings of non-compliance for these clauses:

- Angel Institute Response Action Plan
- Industry Consultation CHC43015 (1)
- Industry Consultation CHC52015 (1)
- Industry Consultation CHC43015 (2)
- Industry Consultation CHC52015 (2).

The provider has addressed the non-compliance for future students.

Finding following additional evidence:

Compliant.

Trainer and assessor competency

Standards for RTOs Clause 1.13

*Finding: **Compliant***

In addition to the requirements specified in Clause 1.14 and Clause 1.15, the RTO's training and assessment is delivered only by persons who have:

- a) vocational competencies at least to the level being delivered and assessed;
- b) current industry skills directly relevant to the training and assessment being provided; and
- c) current knowledge and skills in vocational training and learning that informs their training and assessment.

Industry experts may also be involved in the assessment judgement, working alongside the trainer and/or assessor to conduct the assessment.

Outstanding non-compliance

Providers must ensure that only those persons, who have current industry skills – to an industry-standard level – deliver training and assessment, and the organisation must show how trainers and assessors have maintained, upgraded or developed new skills relevant to current industry practice.

The industry currency evidence provided for Raveena Khan is dated 2017 with no other more recent evidence provided. This aged evidence on its own – without more recent information or an explanation about how it is sufficient – does not constitute sufficient evidence to demonstrate that the trainer and assessor possesses relevant industry currency.

Audit Finding:

Not compliant with Clause 1.13.

The organisation has not demonstrated compliance in relation to trainer/assessor industry currency.

Analysis of evidence submitted 3 February 2021

Included with its reconsideration application, the provider submitted the below evidence to address the findings of non-compliance for this clause:

- Angel Institute Response Action Plan
- Raveena Khan Letter of Currency
- Raveena Khan Resume.

The provider has addressed the non-compliance for future students.

Finding following additional evidence:

Compliant.

Regulatory Compliance / Governance

Third Parties (including education agents)

Standards for RTOs Clause 2.3

Finding: Compliant

The RTO ensures that where services are provided on its behalf by a third party the provision of those services is the subject of a written agreement.

Outstanding non-compliance

A registered provider must ensure that where services are provided on its behalf by a third party, the provision of those services is the subject of a written agreement. In addition, providers are responsible for reporting to ASQA on any third party arrangements entered into or concluding.

The evidence provided by the organisation does not match third party records held by ASQA or those available on the organisation's website. Therefore, it could not be confirmed that the provider has entered into third party arrangements with each education agent it engages.

- The organisation's website includes a list of brokers with seven education agents. The organisation has submitted signed agreements for six of the seven listed on the website, as follows:
 - Melbourne Infinity Group Pty Ltd – 2 year term agreement
 - Cecilia Gomez - 2 year term agreement
 - First Idea Training Solutions Pty Ltd – 2 year term agreement
 - Business Bloom International Pty Ltd – 1 year agreement, now expired
 - De Fu International Pty Ltd – 2 year term agreement
 - Alan Learning Centre Pty Ltd – 2 year term agreement
 - Fresh Futures Australia Pty Ltd – no agreement.

Asqanet records only contain three third parties.

- Cecilia Gomez
- Melbourne Infinity Group Pty Ltd
- Australian Marketing Team Pty Ltd. No agreement was provided for this agent nor was the agent included in the broker list on the website.

Audit finding:

Not compliant with Clause 2.3.

The provider did not demonstrate that it has entered into third party arrangements ensuring that each arrangement is subject to a written agreement nor that it reports these arrangements to the Regulator.

Analysis of evidence submitted 3 February 2021

Included with its reconsideration application, the provider submitted the below evidence to address the findings of non-compliance for this clause:

- Angel Institute Response Action Plan
- Evidence of Third Party Reporting to ASQA
- Link of website where Brokers are reported: <https://www.angelinstitute.com.au/wp-content/uploads/2021/01/Broker-List-v1.4.pdf>
- Student Recruitment Agent Agreement V2.0 - Domestic – ALC
- Student Recruitment Agent Agreement V2.0 - Domestic – BBI
- Student Recruitment Agent Agreement V2.0 - Domestic – Cecilia
- Student Recruitment Agent Agreement V2.0 - Domestic – DFI
- Student Recruitment Agent Agreement V2.0 - Domestic – FFA
- Student Recruitment Agent Agreement V2.0 - Domestic – FITS
- Student Recruitment Agent Agreement V2.0 - Domestic – MIG.

The provider has addressed the non-compliance for future students.

Finding following additional evidence:

Compliant.

Standards for RTOs Clause 8.2
<i>Finding: Compliant</i>
<p>The RTO ensures that any third party delivering services on its behalf is required under written agreement to cooperate with the VET Regulator:</p> <p>a) by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services; and</p> <p>b) in the conduct of audits and the monitoring of its operations.</p>

Outstanding non-compliance

Training providers and any third parties delivering services on their behalf must cooperate with ASQA in responding to requests for information, undergoing audits and managing records. The information providers and third parties provide to ASQA must be accurate, truthful and authentic.

The organisation’s agent agreement includes the following ‘Cooperate with ASQA by providing information where requested and in the conduct of audits’, whilst Clause 8.2 is more specific in agents providing ‘accurate and factual’ information and the cooperation of agents in the conduct of audits as well as during monitoring of its operations’.

Audit Finding:

Not compliant with Clause 8.2.

The organisation has not demonstrated that the written agreements for proposed services delivered on its behalf contain conditions which ensure that the third party meets all relevant obligations in the delivery of these services.

Analysis of evidence submitted 3 February 2021

Included with its reconsideration application, the provider submitted the below evidence to address the findings of non-compliance for this clause:

- Student Recruitment Agent Agreement V2.0 - Domestic – ALC
- Student Recruitment Agent Agreement V2.0 - Domestic – BBI
- Student Recruitment Agent Agreement V2.0 - Domestic – Cecilia
- Student Recruitment Agent Agreement V2.0 - Domestic – DFI
- Student Recruitment Agent Agreement V2.0 - Domestic – FFA
- Student Recruitment Agent Agreement V2.0 - Domestic – FITS
- Student Recruitment Agent Agreement V2.0 - Domestic – MIG.

The provider has addressed the non-compliance for future students.

Finding following additional evidence:

Compliant.

Compliance with legislation

Standards for RTOs Clause 7.2

Finding: Compliant

The RTO satisfies the Financial Viability Risk Assessment Requirements

Outstanding non-compliance

A provider must present an acceptable level of financial viability risk at all times. ASQA considers this against the potential for adverse consequences if your entity collapses or becomes unviable, and makes a judgement about whether the level of risk is acceptable, unacceptable, or requires additional controls.

The evidence provided by the organisation was insufficient to determine this.

- CJAE Pty Ltd is an existing registered training organisation seeking approval for registration to deliver training to overseas student. A completed FVRA Tool was provided.

Tab 1 named Provider Details includes a checklist for providers to indicate the supporting evidence submitted with the tool. The below listed items were recorded as being submitted, however, they were not submitted with the application. It is noted that the review of the application's completeness by the Initial Assessment Team, identified the missing evidence and was consequently requested. However, the below listed items were not included in the response nor there was an explanation provided:

- Financial statements (at least two years – audited if possible)
 - Current management accounts
 - Bank statements – as at most recent financial year end and as at most recent month end
 - Aged debtors ledger - as at most recent financial year
 - Aged creditors - as at most recent financial year.
- The information entered in the FVRA tool does not align with other evidence and/or information regarding the organisation's proposed and existing operations. Therefore, the validity of the information could not be determined. For example:
 - the organisation submitted a bank reconciliation report that does not include account details. In addition, the amounts in the report do not match with those in the tool under the Bank, Debtors and Creditors tab
 - the number of students forecasted in the tool for year 1 and 2 do not align with the capacity for which the organisation is seeking approval
 - the contracts for trainers/assessors and teachers refer to employment on a 'part-time basis'. The working hours agreed for each employee vary between 40 to 54 hours per week. The training staff numbers and costs in the FVRA tool only include data under 'contract' staff.

Audit finding:

Not compliant with Clause 7.2.

The provider has not demonstrated that it satisfies the *Financial Viability Risk Assessment Requirements*.

Analysis of evidence submitted 3 February 2021

Included with its reconsideration application, the provider submitted the below evidence to address the findings of non-compliance for this clause:

- Financials
 - 2019 Financials
 - 2020 Financials
 - Accountant's Certificate
 - Aged_Creditors_30_June_2020
 - Aged_Creditors_31_December_2020
 - Aged_Debtors_30_June_2020
 - Aged_Debtors_31_December_2020
 - ATO Portal
 - Balance_Sheet_31_December_2020
 - Bank Reconciliation_300620
 - Bank Reconciliation_Dec_2020
 - bank statement 30th dec 2020
 - bank statement 30th june 2020
 - bank statement till 25jan2021
 - FVRA_Tool
 - profitLoss (1jul2020 - 31st Dec2020).
- Trainer Contracts
 - Independent-Contractor-Agreement-Angeline
 - Independent-Contractor-Agreement-Ashika
 - Independent-Contractor-Agreement-Atif
 - Independent-Contractor-Agreement-Mark
 - Independent-Contractor-Agreement-Raveena.
- Capacity Timetable.

The provider has addressed the non-compliance for future students.

Finding following additional evidence:

Compliant.