

GUIDELINES FOR THE REGISTRATION OF EMPLOYERS OF APPRENTICES AND TRAINEES WHO UTILISE HOSTING ARRANGEMENTS

PREAMBLE

These guidelines which employers are required to meet, supplement the current *Guidelines for the registration of an employer to train an apprentice/trainee under the Training and Skills Development Act 2008*.

DEFINITIONS

'Employer', for the purposes of these Guidelines, means the legal employer that employs an apprentice or trainee under a Training Contract and places them with a host business for any part of their on-the-job training. Those employers who may utilise hosting arrangements are GTOs, labour hire companies, and registered employers who conduct business in the particular occupation in which they are seeking to utilise hosting arrangements.

A **'host business'** means any business that enters into an arrangement with an employer to provide on-the-job training to an apprentice or trainee required under a Training Contract.

'Direct supervision' means under the personal supervision of the supervisor, and within visual contact and/or earshot on a constant basis. Direct supervision cannot be provided by electronic means. Electronic means include, but are not limited to, telephones, radios and webcams.

A **'pastoral care meeting'** means purposeful, person to person contact between the employer of the trainee/apprentice or their delegate, and the trainee/apprentice, where the employer/delegate determines competency based training and wage progression, and ascertains any concerns and issues relating to the training contract or the safety, health and welfare of the trainee/apprentice, and addresses and resolves those concerns and issues, and provides encouragement, guidance and support to facilitate the successful completion of the training contract.

CRITERIA

Specifically, employers of apprentices/trainees are required to provide evidence that:

1. They have a registered office in South Australia and are able to provide a timely, responsive service to their apprentices or trainees, and an immediate response, where there is an alleged OHSW risk to an apprentice/trainee, who has a genuine fear for their safety.
2. Their host businesses comply with the following requirements:

- a) The place of employment must be able to support the training of the apprentice/trainee in the occupation to the required standard.
 - b) The host must ensure that the apprentice/trainee has access to a suitable range of equipment, tools, materials, personnel and other resources to achieve some or all of the required competencies to the required standard.
 - c) The host must provide suitable work to enable the apprentice/trainee to develop some or all of the required competencies to the required standard.
 - d) One or more people must be authorised and assigned by the host to supervise, train and guide the apprentice/trainee.
 - e) Supervisors must be suitably qualified for this task, hold occupational licences where appropriate, and be accessible to the apprentice/trainee while the apprentice/trainee is on the job.
 - f) Apprentices in the first and second year/stage of their apprenticeship will be under direct supervision, with a supervision ratio of one supervisor to one apprentice.
 - g) Apprentices in the third and fourth year/stage of their apprenticeship will be under an appropriate level of supervision, with a maximum supervision ratio of one supervisor to five apprentices.
 - h) Trainees will be under a supervision ratio that is no greater than one supervisor to five trainees.
3. There is an upfront written agreement between the employer and the host business regarding their respective roles and responsibilities with regard to the apprentice or trainee.
4. Trainees/apprentices may raise issues of concern with their employer at any time. For example, a trainee/apprentice's concerns about workplace health and safety may trigger a pastoral care/monitoring meeting. However, as a minimum, employers are required to provide pastoral/monitoring support to the individual apprentices/trainees at least every eight weeks, in accordance with the following matrix:

| Trainee/Apprentice Year/Stage | Minimum pastoral care meetings per year | Face-to-face pastoral care meetings per year |
|--------------------------------------|--|---|
| 1 or 2 | 6 | 6 (3 of these must be at the worksite) |
| 3 or 4 | 6 | 3 (1 of these must be at the worksite) |

These meetings should confirm that the on-job training is commensurate with the level of the apprenticeship or traineeship and the qualification. For apprentices and trainees in their third or fourth year/stage of their apprenticeship/traineeship, in lieu of face-to-face meetings, communication methods such as phone, email or Skype may be used. A written record of these discussions must be kept. Trainees/apprentices must be given the opportunity to speak with their GTO field officer in a confidential manner, irrespective of the

method of communication. Some pastoral care meetings may also occur away from the worksite.

5. The off-the-job training arrangements are meeting the needs of apprentices and trainees and the relevant program requirements.
6. Apprentices/trainees are being rotated, as necessary, to ensure that all work-based learning requirements are met.
7. Appropriate records are maintained to demonstrate that the guidelines have been applied.