

RECORDS TRANSFER WHEN RTO CEASES OPERATIONS

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DOCUMENTS : [Application to Withdraw Registration](#) (on-line)
[Notification of Material Change or Event](#) (on-line)

REFERENCES : Records Management
 Privacy

AUTHORISED : _____ DATE : _____
 CEO

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PURPOSE

The purpose of this policy is to ensure that in the event of *MTC Training* ceasing operations prior to the 30 year required retention period for training records that the correct process is followed for transferring those records.

POLICY

It is the policy of *MTC Training* to retain records associated with learning and assessment for our Students under the provisions of VET Quality Framework. Specific conditions being records retained accurately, securely and for a period of 30 years.

Please refer to Records Management Policy and Privacy Policy for detailed information regarding secure retention.

SCOPE

This policy applies to all student training and assessment records.

DEFINITION

PROCEDURE

1. Where Ownership is NOT Transferred

Should *MTC Training* cease operations for whatever reason whilst retaining relevant records where the 30 year retention has not expired AND the ownership of *MTC Training* has not been assumed, in whatever manner, by an alternate operator/entity the CEO will as soon as practicable:

- notify ASQA by submitting [Application to Withdraw Registration](#) form advising that records are to be transferred to Catholic Education Endowment Society Inc archives;
- All archived records are to be sorted and those that have expired the 30 year period are to be securely destroyed using an approved provider;
- Records that have not reached the 30 year period are to be packed in year of expiry batches, with individual boxes for each year.
- Individual folders are to be filed in student family name in alphabetical order. A contents list is to be produced which includes:
 - › Unique Student Identifier (USI) (where applicable);
 - › Student name;
 - › Student completion date;
 - › Qualification/Course code and title;
 - › Parchment number;
 - › 30 year Expiry Date.

POLICY & PROCEDURE

- An advertisement is to be placed in The Advertiser (or equivalent) Public Notices section advising of *MTC Training's* closure and confirming where the records are being transferred to.
- Pre transfer letter is to be signed by the CEO and sent at least one week before physical transfer of the records to Catholic Education Endowment Society Inc. The letter should confirm details of:
 - date of closure;
 - number of files and file boxes being transferred;
 - date of delivery to ASQA or equivalent department;
 - method of transport;
 - and include 2 copies of the contents list;

One copy is for Catholic Education Endowment Society Inc files with letter;

The other copy is to be used as a receipt to be signed by Catholic Education Endowment Society Inc's receiving representative and returned to the CEO.

- Once transfer is confirmed with Catholic Education Endowment Society Inc, the boxes are to be securely sealed and transported by secure courier to the nominated location as provided by Catholic Education Endowment Society Inc in writing.

Note: records should not be delivered to an alternate address unless the alternate address is confirmed in writing by Catholic Education Endowment Society Inc.

- On delivery of the records an Catholic Education Endowment Society Inc representative is to sign the copy of the contents list as evidence of receipt of the records.

Note: records are not to be released unless receipt is signed.

2. Where Ownership IS Transferred

Should *MTC Training* cease operations for whatever reason whilst retaining relevant records where the 30 year retention has not expired AND the ownership of *MTC Training* has been assumed, in whatever manner, by another party the CEO will as soon as practicable:

- notify ASQA or equivalent government department as may be the case at the time by submitting [Application to Withdraw Registration](#) and [Notification of Material Change or Event](#).
- RTO registration is not transferrable in any circumstance.

Incoming Owner Responsibility

- The incoming owner must:

POLICY & PROCEDURE

- satisfy ASQA of their suitability to take over the operations by applying to become an NVR RTO in their own right **before** records can be transferred to them i.e. they must be approved as a NVR RTO;
- provide *MTC Training* with evidence of appropriate Records Management and Privacy Policies.
- Pre transfer letter is to be signed by the CEO and sent to the new owners at least one week before physical transfer of the records. The letter should include details of:
 - number of file boxes being transferred;
 - date of transfer to new owner;
 - include 2 copies of the contents list;

One copy is for new owner's files with letter.

The other copy is to be used as a receipt.

- All archived records are to be sorted and those that have expired the 30 year period are to be securely destroyed using an approved provider.
- Records that have not reached the 30 year period are to be packed in year of expiry batches, in individual boxes for each year.
- Individual folders are to be filed in student family name in alphabetical order.
 - Unique Student Identifier (where applicable)
 - Student name;
 - Student completion date;
 - Qualification/Course code and title;
 - Parchment number;
 - 30 year Expiry Date.
- An advertisement is to be placed in The Advertiser (or equivalent) Public Notices section advising of *MTC Training's* closure/change of ownership and the transfer of student files less than 30 years old to the new owner.

RESPONSIBILITIES

CEO

CEO has sole responsibility to ensure;

- Timely notification to ASQA (or its equivalent) using the [Application to Withdraw Registration](#) and [Notification of Material Change or Event](#) Forms;

and

- The secure transfer of student records as appropriate.

Incoming Owners

It is the responsibility of the incoming owners to:

- Successfully apply for registration as an NVR RTO;
- Document and implement appropriate records management and privacy policies;
- Provide evidence of both of the above prior to transfer of records;
- Manage the retention of records in line with VET Quality Framework requirements.