Fit and Proper Person Requirement Policy

Policy Statement

As a Registered Training Organisation (RTO), Meerilinga Training College (MTC) is committed to effective governance to ensure clients have full confidence in our ability and suitability to deliver and assess national qualifications. It is therefore essential that the organisation is managed by a fit and proper person who ensures compliance with all Acts, Regulations, Codes of Practice and Standards appropriate to Vocational Education and Training (VET).

Policy Purpose

This policy and process is required to ensure that anyone managing MTC satisfies the Fit and Proper Person Requirements (FPPR) as outlined in the *Vocational Education and Training (General) Regulations 2009*, *Standard 7* and *Schedule 3* of the *Standards for Registered Training Organisations (RTOs) 2015*:

Standard 7.1 states *The RTO ensures that its executive officers, high managerial agents and any persons who exercise a degree of control or influence over the management or direction of the RTO:*

a) *Are vested with sufficient authority to ensure the RTO complies with the RTO Standards at all times; and*
b) *Are assessed by the RTO as being fit and proper persons, having regard to the Fit and Proper Person Requirements, prior to being appointed to the relevant positions; and*
c) *Remain, in the opinion of the RTO, throughout their time occupying relevant positions, fit and proper persons, having regard to the Fit and Proper Person Requirements.*

Scope

This policy and procedures applies to any person who is being considered as an appointment to the Chief Executive Officer (CEO) position at Meerilinga, and anyone who has management control and delegated responsibility for decision making that ensures compliance at MTC.

Exclusions

Policy Review

Biennial or from time to time the organisation may make changes to this policy to improve the effectiveness of its operation and customer service.

Policy Reviewed	**5 April 2024**	**By**	**Advisor Policy and Compliance**
Approved By	**Chief Executive Officer**		
Previous Review	**1 March 2024**		

Implementation

Prior to the appointment of CEO, the Meerilinga Board of Governors will assess whether the person meets the Fit and Proper Person Requirements (FPPR) in accordance with organisational and legislative compliance.

This assessment includes background checks and relevant person providing evidence of:

- Academic qualifications and level of competency required for the position
- Previous conduct and management history
- National Police Check
- Working with Children Check
- National Personal Insolvency Index Check
- Certificate of Health
- The person not being listed on the Australian Securities and Investment Commission's (ASIC) banned and disqualified register
- A current and historical personal name extract search of ASIC records.

Fit and Proper Person Declaration

In addition to the above evidence and in accordance with the Standards for RTO's, meeting the FPPR is a requirement for registration with the *Training Accreditation Council (TAC)* of Western Australia.

MTC must make a 'Fit and Proper Person Declaration' when the organisation:

- Applies for initial registration; or
- Applies for renewal of registration; or
- Employs a new executive officer/s, legally responsible officer, high managerial agent/s, owner/s or person/s of control or influence.

When assessing whether the organisation and key personnel meet the FPPR, TAC may:

- Conduct inquiries into any statement made in this Declaration; and
- Conduct enquiries into any other matter it considers appropriate in relation to the fitness and propriety of the organisation and relevant individuals associated with the organisation.

If TAC is not satisfied that an organisation or relevant person associated with it meets the FPPR, TAC may:

- suspend or cancel the organisation's RTO registration; or
- refuse to register an organisation's initial registration application.

Should the Council find that the organisations or relevant persons do not meet the FPPR requirements, the organisations or relevant persons will be notified of the Council's findings and proposed actions and be provided with an opportunity to submit a response.