L&GNSW Approved Training Provider Conditions of Approval (COA) for:

- Responsible Service of Alcohol (RSA)
- Responsible Conduct of Gambling (RCG)
- Licensee Training (LT)
- Advanced Licensee Training (ALT)
- Advanced Responsible Conduct of Gaming (ARCG)

Revision History

Version	Title	Date created	Created by
1.0	RSA and/or RCG – conditions of approval	1 May 2021	L&GNSW
1.0	RSA and/or RCG, and LT and ALT – conditions of approval	1 July 2021	L&GNSW
2.0	Draft: L&GNSW approved courses - conditions of approval	7 October 2022	L&GNSW
2.1	Draft: L&GNSW approved courses – conditions of approval	16 December 2022	L&GNSW
2.2	Final: L&GNSW approved courses – conditions of approval	24 January 2023	L&GNSW
2.3	Final: L&GNSW approved courses – conditions of approval	8 April 2024	L&GNSW

Contents

A. Purpose

These conditions apply to Registered Training Organisations (RTOs) and Approved Training Providers (ATPs) approved to deliver:

- Responsible Service of Alcohol (RSA) training, Licensee Training (LT) and Advanced Licensee Training (ALT) under the *Liquor Act 2007*, and/or
- Responsible Conduct of Gambling (RCG) and Advanced RCG (ARCG) training under the *Gaming Machines Act 2001*

on behalf of Liquor & Gaming NSW (L&GNSW) and are effective from 1 February 2023. This document supersedes the previous version of *Responsible Service of Alcohol (RSA) and/or Responsible Conduct of Gambling (RCG) – Conditions of Approval* dated 1 May 2021, and *Responsible Service of Alcohol (RSA) and/or Responsible Conduct of Gambling (RCG), and Licensee Training (LT) and Advanced Licensee Training (ALT) – conditions of approval* dated 1 July 2021. The conditions in this document form part of the approval of ATPs by L&GNSW to deliver RSA, LT, ALT, RCG or ARCG training courses and grant corresponding endorsements on NSW competency cards.

NSW Legislation

Approval to conduct RSA/LT/ALT/RCG training courses on behalf of L&GNSW is subject to the following legislation:

- Clauses 77-82 of the Liquor Regulation 2018 (the liquor regulation) in relation to Division 4 of Part 5, Provision of approved training courses
- Clauses 51-58 of the Gaming Machines Regulation 2019 (the gaming regulation) in relation to Division 5 of Part 3, Responsible conduct of gambling (RCG) and Advanced RCG training (ARCG)

ATPs must comply with the above regulation(s) as well as the conditions in this document when delivering L&GNSW approved training courses in NSW.

Conditions imposed by the Secretary

Approval to conduct RSA, LT, ALT, RCG or ARCG training courses on behalf of L&GNSW is also subject to general conditions that may be imposed by the Secretary, NSW Department of Enterprise, Investment and Trade (DEIT), and which may be amended from time to time.

Penalties for breach of the COA

A breach of any of the below conditions can result in prosecution action being taken against the ATP, where the court may impose fines of up to $5,500 for an individual or $27,500 for a corporation for any single breach.

The Secretary has discretion to vary, suspend or cancel any approval in the event of a breach of a condition. Any alleged breach of a condition of approval could result in the Secretary suspending approval until the outcome of an investigation.

L&GNSW Audits

L&GNSW will undertake risk-based and intelligence-led activities to monitor compliance with legislative requirements including conducting audits, investigating complaints etc. An ATP is required to participate

in any audit conducted by L&GNSW and cooperate in sharing information about training course delivery and operational management.

B. Definitions

Course type	Delivery mode description
Face-to-face	Trainer led, real time delivery, students are in the same location as the trainer.
Virtual classroom	Trainer led, real time delivery, individual students are in different locations and connect remotely via a conferencing tool.
Connected classroom (TAFE only)	Trainer led, real time delivery, students are grouped in connected learning centres around the state, in one or more locations, and connect remotely via a conferencing tool.
Online	Self-paced, independent learning, students log in to a learning management system to complete training modules in their own time.
Acronym	**Description**
RSA	Responsible Service of Alcohol
SITHFAB002; SITHFAB021	National unit of competency for RSA, 021 was published on 9 June 2022 and supersedes 002
RCG	Responsible Conduct of Gambling
ARCG	Advanced Responsible Conduct of Gambling (Pre-requisite: RCG)
SITHGAM001; SITHGAM022	National unit of competency for RCG, 022 was published on 9 June 2022 and supersedes 001
LT	Licensee Training
ALT	Advanced Licensee Training (Pre-requisite: LT)
RTO	Registered Training Organisation
ATP	Approved Training Provider
ASQA	Australian Skills Quality Authority

C. Forms

The following forms are used by ATPs when applying for approval to deliver courses.

Name of form	Form ID	What is it used for?	Access
ATP Trainer registration form with checklist	CC0200	Applying to register a trainer to deliver L&GNSW approved courses with checklist (this will replace CL1016)	Website (current link) CC0200_ATP Trainer registration form (nsw.gov.au)
Change of details for RTO or trainer	CC0800	Changing contact information for an organisation or a trainer	Website (current link) LQ3930_CC0800_Change_of_details _for_RTO_or_trainer (nsw.gov.au)
ATP Online portal access form	CC0100	Applying for access to the online course management portal	Website (current link) CC0100_Online_portal_access_for_ RTOs (nsw.gov.au)
RTO/ATP conduct/renew L&GNSW approved training courses	DEC5000	Form for payment of application/renewal fee for all L&GNSW approved training courses	Provided by L&GNSW on application

D. General conditions

1. Australian Skills Quality Authority (ASQA) registration & compliance

a. As an ASQA Registered Training Organisation (RTO) you must remain compliant with the Standards for Registered Training Organisations 2015.

b. L&GNSW only approves ATPs to deliver training and conduct assessments for the purpose of granting an endorsement on a NSW competency card.

c. The ATP must notify L&GNSW in writing at atp.enquiries@liquorandgaming.nsw.gov.au within seven (7) days of becoming aware of any audit findings, investigation or regulatory decisions made by ASQA that identifies non-compliance related to the management and delivery of the National Unit of Competency (UoC) SITHFAB021 Provide responsible service of alcohol, SITHGAM022 Provide responsible gambling services or their previous equivalent UoCs.

d. Notifications in relation to 1c above must be provided within 14 days from the date of advice by ASQA and must be accompanied by the following documentation (as relevant):

    i. a summary of identified non-compliance, providing specific reference to the standard(s) where non-compliance has been identified,

    ii. a copy of the final audit report (if applicable), and

    iii.   a summary of any amendments, improvements or reviews carried out by the ATP in addressing the identified non-compliance.

2. Course delivery

a. The ATP may only deliver RSA, LT, ALT, RCG and ARCG courses approved by L&GNSW.

    i.   RSA: The ATP must deliver the current National UoC SITHFAB021 Provide responsible service of alcohol together with the NSW RSA. The ATP must deliver the NSW RSA course aligned with the content and messaging in the L&GNSW RSA Course Handbook and Development Guide.

    ii.   RCG: The ATP must deliver the RCG course provided by L&GNSW.

    iii.   LT/ALT: The ATP must only deliver the courses provided by L&GNSW.

    iv.   ARCG: The ATP must only deliver the ARCG course provided by L&GNSW.

    v.   The ATP must ensure the content of their courses is consistent with current NSW liquor and gaming legislation. This also applies to any supplementary material or learning resources used by the ATP.

b. The ATP must not subcontract course delivery to another ATP or third-party training provider.

c. The ATP must follow any reasonable directions given by L&GNSW in relation to course content and delivery.

3. Advertising guidelines

a. The ATP must comply with the 'L&GNSW approved training provider advertising guidelines', which set out the approved use of the L&GNSW ATP logo, and any advertising[1] related to the delivery of L&GNSW approved training courses.

4. Renewal of RSA/RCG endorsement on a NSW competency card

a. The ATP must not enrol prospective students in a full RSA and/or RCG course if they hold:

    i.   a current or recently expired (within 28-days of expiry) competency card, or

    ii.   an RSA/RCG interim certificate issued within five years from the 'Valid for duties date'[2].

b. If competency card holders set out in 4a(i) wish to complete the full RSA and/or RCG course, they must provide a written declaration stating, "By completing this RSA and/or RCG course, I understand that my existing competency card endorsement(s) will not be renewed".

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[1] Advertising comprises print and digital media and broadcasting, including but not limited to, websites, applications, social media, television, radio, posters and flyers, that promote courses offered by the ATP.

[2] Holders of an RSA/RCG interim certificate issued within 5 years from 'valid for duties date' are able to obtain a NSW Competency card by attending a Service NSW centre for a Proof of ID check. Refer to the interim certificate for more details.

5. Completion/renewal of RSA/RCG endorsement when undertaking LT

a. The ATP must advise students wishing to undertake the LT that successful completion of the LT will result in the renewal of a current RSA endorsement on their NSW competency card.

b. The ATP must ensure that a student wishing to renew a current RCG endorsement on their NSW competency card completes the online RCG refresher training prior to completing the LT with the ATP.

c. Students that do not wish to renew a current RCG endorsement must surrender this endorsement by completing the RCG Declaration Form, which the ATP must upload via the online Course Management Portal prior to lodging the LT course. Prior to uploading the completed RCG Declaration Form, the ATP must ensure the student is aware that by surrendering their RCG endorsement, they will no longer be able to work in gaming related roles that require the RCG endorsement.

6. Interstate RSA holders wishing to obtain RSA and/or LT endorsement

a. The ATP must request prospective students to disclose prior interstate RSA training or certification before enrolment.

b. The ATP must refer individuals with an eligible RSA certification[3] and who are moving permanently to NSW to:

    i. the online NSW RSA Bridging course offered by L&GNSW, if they seek to obtain a NSW competency card with an RSA endorsement, or

    ii. the LT course, if they seek to obtain a NSW Competency card with an RSA and LT endorsement. When presented with an eligible interstate RSA certification, the ATP must validate the certification prior to enrolling them to complete the LT course.

7. Online Course Management Portal – Terms of use

a. The ATP must comply with the Online Course Management Portal (the portal) terms of use when completing the following tasks in the portal:

    i. Collecting the required student information detailed in clause 80(3) of the Liquor Regulation 2018 and 58(6)(c) of the Gaming Machines Regulation 2019 prior to scheduling a course.

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[3] For the purposes of this condition, 'eligible RSA certification' means a *current* RSA certification or endorsement from another State or Territory held for completing an RSA course or RSA refresher course provided -

    – by an RTO that delivers the ASQA nationally accredited RSA training, or

    — by another RTO or training organisation approved to deliver on behalf of, or by that State or Territory.

ii. Scheduling courses in advance of courses being conducted.

iii. Only one face-to-face or virtual/connected classroom course may be scheduled in the portal per day per approved trainer.

iv. Lodging courses and paying the required fees after course completion and the students being assessed as competent for RSA, LT, ALT or ARCG. For RCG, this applies after successful completion of the National and NSW RCG, to enable the student to complete the mandatory NSW RCG online assessment.

v. Recording student personal details to accurately reflect a current evidence of identity document.

vi. Notifying L&GNSW in writing within 48 hours of any errors and detailing the cause(s) for the error(s).

8. Trainer requirements

a. Trainers must be registered with L&GNSW and associated with an ATP before they can deliver an approved training course.

b. The ATP must register a trainer that meets the minimum qualification and experience set out in clause 80(2) of the Liquor Regulation 2018 and/or clause 58(5) of the Gaming Machines Regulation 2019 or seek approval from L&GNSW where equivalent qualification or experience is claimed for the relevant course(s).

c. The ATP must submit a completed CC0200 form to register a trainer or to notify L&GNSW when a trainer ceases to be associated with them.

d. To be registered with L&GNSW a trainer must have a current NSW competency card with an endorsement for the course they are applying to deliver (RSA, RCG, LT, ALT). Trainers must gain these competencies from an ATP that does not employ them or are not otherwise affiliated with them.

9. Assessment of competency and issuing of certificates

a. For the NSW RSA and RCG the ATP must undertake a range of formative and summative assessment activities (as outlined in the L&GNSW Assessment Framework Ver 1.0) to deem a learner competent in the RSA and/or RCG training course, including:

i. Check-your-progress activities

ii. Performance evidence assessment

iii. Knowledge evidence assessment

iv. Competency conversation (if relevant)

b. For the NSW RSA the ATP must ensure the student performs a practical assessment activity, such as a scenario-based roleplay, to demonstrate competency in the Performance Evidence assessment.

c. For the NSW RCG, the ATP must ensure the student completes the activities and quizzes provided in the L&GNSW RCG Participant Workbook

d. For RSA the ATP must assess the National Unit of Competency, including the practical assessment as set out in 9b or 9c before the student can be deemed competent.

e. For LT, ALT and ARCG the ATP must assess student competency using the assessment activities provided by L&GNSW.

f. The ATP must ensure that assessment activities are valid, reliable, and conducted with integrity by:
   i. preventing repetition of questions in multiple assessment attempts by using a question bank with randomly generated questions and/or differently worded questions on the same topics
   ii. preventing cheating and ensuring that assessment activities capture the original work of students
   iii. ensuring that during any assessment activity, learners are not provided with the correct answers, or advice that indicates correct or incorrect responses.

g. The ATP must not deem a student competent unless all assessment activities are satisfactorily completed.

h. Issuing of Interim/Completion certificates:
   i. RSA, LT and ALT: The ATP must only issue an interim certificate to a student after they have successfully completed the course and been assessed as competent.
   ii. RCG: The ATP must advise students that have successfully completed the NSW RCG Participant Workbook that they must also complete the L&GNSW online RCG assessment in order to be issued with an RCG interim certificate by L&GNSW.
   iii. ARCG: The ATP must only issue an ARCG Completion Certificate to a student after they have successfully completed the L&GNSW ARCG course and been assessed as competent.

i. ATP portal course lodging timeframe:
   i. The ATP must ensure timely marking of assessments and lodgement of courses in the portal as soon as practicable and no later than three business days to enable students to start work as soon as possible:
      a. For RSA, LT, ALT and ARCG: after student(s) are deemed competent.
      b. RCG: after student(s) have successfully completed the NSW RCG Participant Workbook

10. Course operational framework – delivery and frequency

a. The duration of any RSA, LT, ALT, RCG or ARCG classroom training course must be minimum six (6) hours in duration, excluding breaks and administrative activities such as student registration or proof of identity checks.

b. Classroom training must only be delivered in Australia.

c. The ATP must ensure that the maximum number of students enrolled in a training course per approved trainer does not exceed:

Course	Maximum number of students		
	Face-to-face	Connected classroom	Virtual classroom
RSA & RCG	30	20	15
LT, ALT & ARCG	25	20	20

Please note that the increase to class sizes for the LT, ALT and ARCG courses is provisional, pending L&GNSW review of training delivery effectiveness under this change. The review will commence from 30 September 2024.

To support this L&GNSW review, ATPs will be asked to supply any available data relating to training delivery effectiveness with the increased class sizes, such as course evaluation survey data. Once reviewed, L&GNSW will decide on whether to permanently implement the increased class sizes for this group of courses.

11. Recognition of Prior Learning (RPL) of LT and/or ALT courses

a. The ATP may undertake RPL for the LT and/or ALT courses subject to matching of the learning outcomes of individual course modules to the learning outcomes of the components of the alternative course or qualification in the NSW liquor and gaming environment.

b. The ATP's ability to offer RPL for an alternative course or qualification is subject to approval by L&GNSW of the required standard, outcomes and integrity of the ATP's RPL assessment process.

12. Reporting requirements

a. The ATP must maintain records of the following for a period 12 months of completion:

    i. details of students with recognition of prior learning (RPL) for LT or ALT as per condition 11 above, e.g., date and type/name of course, relevant practical experience where applicable, and evidence of approval by L&GNSW including date of approval.

    ii. Records of student assessment (including activities and quizzes completed from the RCG and ARCG Participant Workbook), learner support and assessor feedback.

    iii. outcomes of competency conversations.

b. The ATP must notify L&GNSW within 7 days of any fraudulent or suspicious activity by trainers or students.

c. The ATP must notify L&GNSW within 14 days of any changes to the following by submitting a CC0800 form:

    i. changes to the primary or secondary contact person listed with the ATP,

    ii. changes to the ATP's contact details (phone number, email, address),

    iii. changes to the ATP's trading and/or business name, and

    iv. as soon as the ATP becomes aware of changes to the details of trainers associated with the ATP.

E. Supplementary conditions for online delivery mode (RSA, LT, ALT)

1. Confirming student identity

a. The ATP must have procedures in place to verify that the student who registers for the online course is the same person who completes the course and receives the certification. In demonstrating the capacity to meet this requirement, the ATP must:

    i. Ensure students cannot enrol in the online course without a Unique Student Identifier (USI)

    ii. Provide students with access to the online course through a secure website that requires a unique log-in and password, issued via a secure method, e.g., email, SMS, or QR code.

    iii. Ensure students can retrieve their log-in information and reset their password, via a secure method

    iv. Ensure student confidentiality is maintained in accordance with the Australian Privacy Principles (APPs).

2. Assessment of competency

a. For the RSA Performance Evidence Assessment, the ATP must ensure the student performs a practical assessment activity, such as a scenario-based roleplay, to demonstrate competency. The students must film themselves performing the roleplay and submit the video to the ATP for assessment.

b. For the RSA Knowledge Evidence assessment, the ATP must ensure a variety of tasks and question types are included, and 25% of questions must require free text answers.

c. For online LT and ALT courses, the ATP must ensure the trainer additionally assesses students in a face to face or virtual environment for a minimum period of 15 minutes. The trainer must

confirm the student's identity, be satisfied that the person they are speaking to is the student who completed the online assessment(s), and that they have demonstrated an understanding of course content.

3. Student communication and support

    a. The ATP must provide timely and tailored feedback and support to all students during course and assessment completion, including students with special needs. At a minimum, this must include:

        i. telephone support, and/or

        ii. email support and/or

        iii. real time online support

b. The ATP must clearly specify the hours during which support is available. During these hours, student queries must be answered within a pre-specified timeframe. Minimising the potential for fraudulent activity

    a. When conducting online training, effective measures must be in place to minimise the potential for fraudulent activity. In demonstrating the capacity to meet this requirement, the ATP must:

        i. Capture students' IP address

        ii. Monitor and flag any suspicious course activity e.g., when the exact same free text answers are given by different students.

        iii. Lock personal information and student details fields so that changes to these can only be made by the provider.

Course competency endorsements may be revoked if false information is provided, or fraudulent activity is detected.

    b. The ATP must ensure students are unable to 'fast track' through the online course.