

# **Good Jobs, Great Training**

## ***Queensland Skills Strategy 2024–2028***

New Skills Assure Supplier Framework  
**Expression of Interest – Stage 1**

### **Application Guidelines**

Department of Employment, Small Business and Training  
(DESBT)

**Date of Issue:** Monday 30 September 2024  
**Closing Date & Time:** Friday 8 November 2024 at 5:00 pm Australian Eastern Standard Time (Queensland time)



# 1. Introduction

The *Good Jobs, Great Training: Queensland Skills Strategy 2024–2028* was launched by the Queensland Government in May 2024 and is published on the Department of Employment, Small Business and Training (DESBT) website: [www.desbt.qld.gov.au/training/skills-strategy](http://www.desbt.qld.gov.au/training/skills-strategy).

The new Queensland Skills Strategy was informed by the most significant review in almost ten years including extensive research and analysis, and public consultation feedback from over 8,000 Queenslanders.

Across five focus areas and five years, the Queensland Skills Strategy will further strengthen Queensland's vocational education and training (VET) system through new and targeted actions that respond directly to the key consultation feedback and state priorities (e.g. the health and care sector, construction and the clean energy transition).

The Queensland Skills Strategy is also the state's roadmap to deliver on the five-year National Skills Agreement (NSA) with the Australian Government which commenced 1 January 2024. National priorities include ensuring Australia has the skilled workforce it needs with TAFE at the heart of the VET sector, improving course completions, increasing access to foundation skills, growing a quality VET workforce, and improving VET evidence and data.

## 2. Overview and objectives

In line with consultation findings, state priorities and NSA commitments, the Queensland Skills Strategy commits to a new Skills Assure Supplier (SAS) framework to deliver quality training in priority skills.

Existing SAS arrangements were introduced in June 2020 to allow students, parents and employers to identify registered training organisations (RTOs) that met the Department's entry requirements to deliver subsidised training and assessment services in Queensland.

Through consultation, key feedback from communities included the need for new SAS providers to deliver more training and for more targeted training to be available in locations where it is needed, while RTOs raised opportunities for new SAS providers to support the Queensland Government's priorities.

As part of the new SAS framework, research and analysis, and consultation findings identified opportunities to:

- increase access to quality training for regional, rural and remote communities (i.e. outside South East Queensland and the eastern seaboard) including place-based delivery models
- better target the skills that Queensland needs to drive economic and social benefits
- reduce the incidence of training delivered into communities that does not align with local employment outcomes and community priorities
- enhance investment and performance frameworks to improve student support, outcomes and completions
- clarify the broader role expected of Queensland's public providers including community service obligations on behalf of the Queensland Government.

## 3. New SAS framework

The Queensland Skills Strategy recognises that all types of RTOs (public, private, not-for-profit, and dual-sector universities) contribute to Queensland's solid and vibrant VET sector and is committed to maintaining a network of quality SAS providers to provide funded training when and where it is needed.

To deliver on the Queensland Skills Strategy principles and actions, key elements of the new SAS framework include:

- a managed approach to guide investment to the right training where it is needed including ensuring statewide regional coverage and equitable access for Queenslanders
- one simplified funded course list (proposed Queensland Subsidised Training List 2025-26)
- consideration of delivery locations based on regions, Remoteness Areas and local government areas (LGAs)
- application via an open and transparent two-stage Expression of Interest (EOI) process
- quality training provision supported by merit-based selection of SAS providers
- increased data and evidence-based inputs to inform decision making (e.g. expanded industry advice, supply and demand analysis, regional and local intelligence)
- strong employer/industry and community connections for training relevancy and currency
- enhanced quality requirements including training required in inclusive practices and cultural awareness to support diverse student cohorts and contracting directly with RTOs who will deliver the training
- a revised SAS Agreement with longer term periods where appropriate, to ensure continuity of student enrolments and support provider commitment to high-quality training (trainers, teaching materials and resources), incorporating the above key elements of the new SAS Framework.

The above elements are collectively referred to as the **new SAS Framework** throughout this document.

The implementation of new funded training arrangements will enable a stronger focus on student outcomes and quality training in priority qualifications aligned with current and projected workforce needs, as well as provide increased access to locally-delivered and relevant training in regional, rural and remote communities.

## 4. Purpose of EOI

The Department is releasing this open **EOI Stage 1** to provide the opportunity for all eligible RTOs (including current SAS providers) to submit an application to be considered for the delivery of Queensland Government subsidised training and assessment services under the new SAS framework from 1 July 2025.

This EOI pertains to identified skills priorities and future core VET funding programs (Career Start for job seekers and Career Boost for career advancement) under the Queensland Skills Strategy, including school-based apprenticeships and traineeships (SATs).

It excludes the new VET in Schools (VETiS) program (Career Ready) under the Queensland Skills Strategy, which will start from 1 January 2026 in line with the school year and be managed under separate arrangements that will be released at a later date.

Please note this is an EOI only and submitting a response (application) will not guarantee that the RTO will be invited to progress to the second stage of the SAS application process.

## 5. Who can Apply?

This EOI Stage 1 is open to RTOs approved by ASQA to **deliver and assess training in Queensland** including current SAS providers – referred to collectively in this document as ‘RTOs’ or ‘Respondents’.

All RTOs will need to apply through this EOI Stage 1 to be considered for a SAS Agreement from 1 July 2025. This is because the new SAS Framework (including application and assessment process) and new core VET programs from 1 July 2025 are changing in accordance with the principles and objectives of the new Queensland Skills Strategy.

## Who is ineligible to apply?

The following RTOs are ineligible to apply.

- RTOs not approved to deliver training in Queensland
- RTOs with only Units of Competency on registration scope (i.e. no qualifications)
- RTOs with a registration of RTO Type – School.

## Late applications

Late applications will **not** be accepted. RTOs must submit their applications through the Partner Portal at <https://desbt.qld.gov.au/training/providers/partnerportal> by 5.00pm AEST, Friday 8 November 2024 (refer to **Timelines** below).

If the RTO does not submit an EOI Stage 1 application by the Closing Date and Time (see **Item 6** below), they will not be considered and assessed for a SAS Agreement from 1 July 2025.

## 6. Timelines

Responses to this EOI Stage 1 will be considered through one discrete time-limited window. The Department reserves the right to vary dates where necessary.

**EOI opening date** 30 September 2024

**EOI closing date** 8 November 2024

**End of period for clarification of questions** 25 October 2024

The Department will issue written outcome advice to each RTO, once the EOI Stage 1 application window has closed and all RTO assessments against the Stage 1 Mandatory Eligibility Criteria are finalised.

## 7. Application process

### EOI Stage 1 applications

At this first stage, the RTO is required to submit an online application through Partner Portal to:

- confirm they meet the Stage 1 Mandatory Eligibility Criteria (see **Schedule A**)
- select qualifications the RTO is requesting approval to deliver from 1 July 2025 (see **Schedule A**)
- provide acknowledgements and confirm acceptance of external due diligence assessments for identified Mandatory Eligibility Criteria (see **Schedule A**)
- provide Queensland employer referee contact information (see **Schedule A**)
- provide an Australian Securities and Investments Commission Current and Historical Company Extract or equivalent (see **item 9**)
- provide all required information (see **item 9**).

This first stage will allow the Department to determine if the RTO meets the Stage 1 Mandatory Eligibility Criteria for the new SAS Framework. If the RTO meets the Stage 1 Mandatory Eligibility Criteria, they will be invited to prepare a more detailed response at Stage 2.

Some of the information provided in Stage 1 will be evaluated through a multiphase due diligence process that spans both Stage 1 and 2.

## **EOI Stage 2 applications – for noting only**

In the EOI Stage 2, only those RTOs assessed by the Department as meeting the Stage 1 Mandatory Eligibility Criteria (in Stage 1), will be invited to complete and submit a Stage 2 response addressing specific Selection Criteria i.e. invited to provide more information about their organisation including qualitative responses.

RTOs progressing to Stage 2 will be required to provide financial, legal and trading information to an independent organisation for assessment as part of the Due diligence process.

Stage 2 will provide the eligible RTO with the opportunity to submit a more detailed response for consideration and assessment for a SAS Agreement.

The Department has identified the following Selection Criteria (with weightings) which will be individually assessed to determine a total score for each Stage 2 response from an eligible RTO:

- delivery of quality training outcomes
- meeting local community, employer and industry needs
- supporting the student journey
- relevant training delivery history and past performance in the nominated qualifications.

Further information will be provided when the EOI Stage 2 opens, which is expected to occur at the end of the 2024 calendar year. Please note that an invitation to Stage 2 does not guarantee a SAS Agreement offer from the Department, or the approval of all qualifications and/or skill sets the RTO has nominated to deliver.

## **8. Assessment process**

### **Assessment (EOI Stage 1)**

On submitting this EOI Stage 1 including the required supporting documentation, the RTO will be assessed against the Stage 1 Mandatory Eligibility Criteria (see **Schedule A**).

RTOs will not receive a score but will either 'Meet' or 'Not Meet' the Stage 1 Mandatory Eligibility Criteria. RTOs deemed **ineligible** will be excluded from further consideration and assessment for a SAS Agreement and will not be invited to submit a Stage 2 response.

The Department will issue written outcome advice to each RTO, once the EOI Stage 1 application window has closed and all RTO assessments against the Stage 1 Mandatory Eligibility Criteria are finalised.

### **Assessment (EOI Stage 2) for noting only**

Stage 2 responses from eligible RTOs will be assessed against the identified Selection Criteria and the Stage 2 Mandatory Eligibility Criteria (see **Schedule A**).

RTOs will also be required to nominate the qualification/s and/or skill set/s from the proposed Queensland Subsidised Training List 2025-26 that the RTO is requesting approval to deliver from 1 July 2025, including delivery location(s) identified by region and Remoteness Areas, and predominant delivery mode.

At Stage 2, the Department will undertake further due diligence assessments for RTOs submitting a response. This will include:

- financial viability and legal searches completed by an external independent organisation
- contact with employer referees to confirm relevant industry training connections/relationships (referees submitted in Stage 1)
- review of the RTO's training and assessment activity in Queensland (AVETMISS data) to confirm strong training outcomes and no significant risk indicators.

Stage 2 will involve independent and external assessment phases to produce and confirm an RTO order of merit for nominated qualifications by industry training group (ITG) area. ITG is a

classification system used by the Department to group related qualifications in an industry area e.g. Community Services - Childcare. The ITGs are listed in the proposed Queensland Subsidised Training List 2025-26.

The assessment process will also include confirmation of training priorities and delivery locations by independent industry and regional stakeholders, and consideration of student cohorts and small and niche industries (for example, it may be determined that only one RTO is approved to deliver a qualification that reflects a small and niche industry).

## 9. Required documents and information

To satisfy the requirements of this EOI Stage 1, the RTO must submit the following documents and provide the requested information as part of their EOI Stage 1 response:

- A. **Australian Securities and Investments Commission (ASIC) Extract (Current and Historical) or ACNC Charity Register details or ABN Registration Certificate (for Sole Traders and Partnerships) (or equivalent)** – this document must be current in last 30 days from the date submitted
- B. **Queensland Employer Referees** – the RTO must provide a minimum of three employer referee contacts for **each** qualification/ITG area the RTO is requesting approval to deliver. This information must include the employer's ABN, referee's name, position, direct phone number and email address. The referee must be aware that they will be contacted, and willing to provide the Department with feedback on the quality of training your RTOs has delivered in the requested qualification/ITG
- C. **RTO Queensland Training History** – RTOs are required to upload information on Queensland training and assessment delivery to Queensland residents over at least a 12-month period including qualification completions.

**Note:** the RTO **must** submit their AVETMISS data for this same training and assessment delivery via the Partner Portal (see **item 10**).

This does not apply to current SAS providers where the Department already has access to this training data. The **exception** is when the current SAS provider is nominating to deliver a new qualification (i.e. a qualification they have only previously delivered outside of their current SAS Agreement) that has not been included in Total VET Activity data submitted via the Department.

In this case, the current SAS provider will also need to submit any previously unreported AVETMISS data through the normal process.

## 10. How to Apply

To apply, the RTO must complete the **online EOI Stage 1 Response form** which can only be accessed through Purchasing Online (POL) on the Partner Portal website.

The Partner Portal is the Queensland Government secure website which can be accessed here: <https://portal.desbt.qld.gov.au/>.

**Note:** RTOs that do not hold a current POL account on the Partner Portal **must contact the Department at least two weeks before the EOI Stage 1 closing date to request an account**. This is to allow sufficient time for the account request to be processed and activated.

To get started please visit: <https://portal.desbt.qld.gov.au/help>

## 11. Terms and Conditions

The Terms and Conditions in Schedule B apply to this EOI Stage 1.

## 12. Conflicts of Interest

A conflict of interest may arise if the RTO's or any of its officers' have an interest, affiliation or relationship (whether personal, financial, professional or otherwise) with the Department or any of its officers that would create a conflict for the Department or the relevant officer in serving the public interest. A conflict of interest can be real (or actual), apparent (or perceived) or potential.

Conflicts of interest could affect the awarding or performance of the RTO's SAS Agreement with the Department.

The RTO will be required to declare, as part of the EOI Stage 1, any interests, affiliations or relationships (whether personal, financial, professional or otherwise) that may be considered an actual, perceived or potential conflict of interest. If the RTO later identifies any circumstance where an actual, apparent, or potential conflict of interest may be present or might arise in relation to the RTO's application or SAS agreement, the RTO must inform the Department in writing of the relevant circumstances immediately.

## 13. Clarifications

Advice about this EOI Stage 1 will be regularly updated on Frequently Asked Questions (FAQs) published on the Department's website.

Any additional queries are to be communicated in writing directly to the dedicated business unit email address below. Questions will be accepted up until – **25 October 2024 at 5pm** Australian Eastern Standard Time (Queensland time).

Email: SAS.EOI@desbt.qld.gov.au

## 14. Reviews

If an RTO is dissatisfied with a decision made by the Department in respect of the RTO's Stage 1 EOI application, the RTO may request a review of the decision. A request for review must state:

- the grounds on which the RTO is seeking a review;
- any additional information or documents in support of the request for review.

Requests for review must be lodged within 28 days of receiving written notice of a decision in writing to:

Appeals Officer  
Investment Division  
Department of Employment, Small Business and Training  
Email: SAS.Appeals@desbt.qld.gov.au

RTOs will be notified in writing of the review outcome within 21 business days from receipt of the RTO's request for review.

## Schedule A – Mandatory Eligibility Criteria

Stage 1 Mandatory Eligibility Criteria	
Criteria	How this will be assessed:
<b>RTO registration</b>	<p>Current and active RTO registration status for at least two years (as at the closing date of the Stage 1 EOI) as verified on <a href="http://www.training.gov.au">www.training.gov.au</a>, to satisfy Skills Assure requirements relating to financial viability and training delivery experience.</p> <p><b>Note:</b> this is the initial RTO registration date published on <a href="http://training.gov.au">training.gov.au</a>, and the RTO status is current on <a href="http://training.gov.au">training.gov.au</a>.</p>
<b>Relevant scope of registration</b>	<p>Registration to deliver training and assessment in the full qualification in Queensland under the RTO's scope of registration (as verified on <a href="http://www.training.gov.au">www.training.gov.au</a>) for the qualification/s selected from the proposed Queensland Subsidised Training List 2025-26.</p> <p><b>Important information to note:</b></p> <ol style="list-style-type: none"> <li>1. The system will autogenerate a list of eligible qualifications from the proposed Queensland Subsidised Training List 2025-26 based on the RTO's scope of registration specified for Queensland delivery. The RTO will need to select the qualification/s from this list that it is interested in delivering under Queensland Government subsidised training arrangements.</li> <li>2. Skill Sets will be included in Stage 2.</li> <li>3. RTOs cannot select only Foundation Skills qualifications – an eligible vocational qualification must also be selected to support employment outcomes.</li> <li>4. Certificate I and II qualifications on the proposed Queensland Subsidised Training List 2025-26 can only be selected if the RTO is intending to deliver this training to the following cohorts – pre-apprenticeships, Skilling Queenslanders for Work (SQW) or adult prisoners.</li> <li>5. <b>VET in Schools</b> is not part of this process, there will be a separate EOI for Career Ready. RTOs approved through this process cannot deliver government subsidised training (other than school-based apprenticeships and traineeships) to school students.</li> </ol>



<p><b>Evidence of 12 months training delivery history / experience in Queensland</b></p>	<p>RTOs must demonstrate a minimum of twelve months delivery of training and assessment services and outcomes in Queensland in the full vocational qualification(s) or ITGs being applied for, as listed on the draft Queensland Subsidised Training List 2025-26. In limited circumstances (determined by the Department) delivery history may be considered at an ITG level.</p> <p><b>Important information to note:</b></p> <p><b>Partner Portal</b> – to determine the twelve months of training delivery history in Queensland, the Department will review AVETMISS files for all ‘Queensland student’ enrolments by the RTO. This data must be submitted using the Queensland Government’s secure site for reporting VET data – Partner Portal. <b>The RTO must have a current Partner Portal account (See Item 10).</b></p> <p><b>Student completions</b> – minimum requirement of 10 unique student completions per qualification in the twelve-month period as indicated in the RTO’s NAT130 file via the <i>Qualification Issued</i> flag, which <b>must</b> be checked. <b>Note:</b> for probity purposes the Department cannot infer qualification completion when assessing RTO data.</p> <p>Exceptions to this requirement may be considered for small or niche industry areas, as determined by the Department.</p> <p><b>Training delivery and completions</b> – the following is <u>not</u> counted as acceptable evidence:</p> <ul style="list-style-type: none"> <li>• over 50% of training through recognition of prior learning (RPL), or</li> <li>• combination of over 50% RPL and credit transfer, or</li> <li>• delivery of single units of competency or skill sets only with no qualification outcome, or</li> <li>• training delivery to RTO staff and family members, or</li> <li>• VETiS delivery to school students, or</li> <li>• training delivery to international students (<b>Note: only training delivery to students who permanently reside in Queensland and are either an Australian citizen, Australian permanent resident (includes humanitarian entrant), temporary resident with the necessary visa and work permits on the pathway to permanent residency, or a New Zealand citizen – is counted as acceptable evidence</b>).</li> </ul>
--	--

<b>RTO place of business in Queensland</b>	<p>Details for a head office, principal place of business or physical training location/s for the RTO in Queensland that can be independently verified by the Department (via business internet searches).</p> <p><b>Note:</b> a PO Box address will not be accepted as evidence.</p>
<b>No third party delivery</b>	<p>The Department is seeking to contract RTO entities directly i.e. the RTO contracted by the Department must deliver all of the approved training and assessment services. The RTO will be asked to acknowledge and confirm acceptance of this requirement.</p> <p><b>Note:</b> the Department may consider exceptions at the time of an agreement offer (if any) or negotiation with the Department, and based on submission of a detailed business case from the RTO (at that time) for review and consideration by the Department.</p>
<b>Ability to submit training data</b>	<p>Capacity to electronically report training and assessment activity to the Department using the most current AVETMISS release.</p> <p><b>Note:</b> this excludes the National Centre for Vocational Education Research's AVETMISS Data Entry Tool as it does not meet state reporting requirements. For information on AVETMISS, visit <a href="http://www.ncver.edu.au">www.ncver.edu.au</a>.</p>
<b>RTO compliance history</b>	<p>The RTO will be required to:</p> <ul style="list-style-type: none"> <li>• declare whether: <ul style="list-style-type: none"> <li>– the RTO has had its Queensland VET Pre-qualified Supplier (PQS) Agreement, Queensland VET SAS Agreement, other DYJESBT/DESBT Agreements or any other RTO agreement terminated for non-compliance for any reason</li> <li>– any RTO officeholders or partners held management positions or ownership of an organisation that had contracts terminated for non-compliance or had any orders or judgments relating to workplace health and safety laws, industrial relations laws, privacy legislation or equivalent laws and legislation of any other state or territory.</li> </ul> </li> <li>• acknowledge and consent to the Department contacting third parties including the Australian Skills Quality Authority, state training authorities and other relevant parties (such as Queensland Government agencies, quasi-government organisations and interstate government Departments) to confirm the RTO's compliance history and performance under government and quasi-government contracts (specifically if there are any outstanding non-compliance matters).</li> </ul> <p><b>Note:</b> failure to declare this information may result in the RTO being deemed ineligible by the Department.</p>
<b>Legal and trading history</b>	<p>The RTO will be required to declare and provide details of any legal/trading history of bankruptcy, disqualification, legal action or outstanding judgements including in respect of any company officeholder, partner or key personnel. Legal and trading history includes:</p> <ul style="list-style-type: none"> <li>• bankruptcy in the last five years</li> <li>• banned or disqualified from managing a corporation</li> <li>• current (or pending) legal action</li> <li>• outstanding judgment in the District or Supreme Court in any State or in the Federal Court</li> <li>• conviction of a criminal offence relating to any organisation.</li> </ul>

<p><b>Queensland Employer Referees</b></p>	<p>Referee contacts must be provided including each employer’s ABN to confirm experience of the RTO’s training history in Queensland. A minimum of three referees are required for <b>each</b> qualification/ITG area nominated by the RTO.</p> <p><b>Important information to note:</b></p> <p>All referee contacts must:</p> <ul style="list-style-type: none"> <li>• be independent from the RTO and RTO legal entity</li> <li>• be aware that they have been nominated as a referee and that they will be contacted by the Department</li> <li>• be available to speak directly with a Departmental officer (contact with referees to validate relationships and connections will take place in Stage 2)</li> <li>• have engaged the RTO’s services for training delivery and/or employed participants who completed training with the RTO.</li> </ul> <p>Referee contacts must <b>not</b> be from schools or labour hire companies.</p>
--	--

## Stage 2 Mandatory Eligibility Criteria

Criteria	How this will be assessed:
<b>Financial viability, legal and trading history</b>	<p>The Department will engage an independent organisation to assess the financial viability and trading history of all RTOs that progress to Stage 2.</p> <p>The RTO will be asked to declare any history of bankruptcy, disqualification, legal action or outstanding judgments relating to their organisation, key personnel or company officeholders.</p> <p>The RTO must agree to supply the last two years of audited financial statements directly to the external contractor if and when requested by the Department.</p> <p>The RTO will be asked to acknowledge and confirm acceptance of the Department undertaking searches on the RTO business through an independent external contractor to review:</p> <ul style="list-style-type: none"> <li>• financial viability and proportion of annual revenue from government funding</li> <li>• director/management corporate and business relationships and connections.</li> </ul> <p><b>Note:</b> external checks for financial viability, legal and trading history, will be finalised in EOI Stage 2, <b>contingent</b> on the RTO meeting all Stage 1 Mandatory Eligibility Criteria.</p> <p>RTOs will not receive a copy of this report.</p>
<b>Detailed compliance history</b>	<p>The RTO will be required to declare and provide details of any history of non-compliance in relation to its performance as an RTO, including if the non-compliance is resolved or remains outstanding and why.</p> <p>Non-compliance history includes:</p> <ul style="list-style-type: none"> <li>• non-compliance with a Queensland VET Pre-qualified Supplier (PQS) Agreement, Queensland VET SAS Agreement, other DYJESBT/DESBT Agreement, or any RTO agreement</li> <li>• significant or critical non-compliance outcomes from a Registration or Compliance Audit under the Australian Quality Training Framework (AQTF) or VET Quality Framework</li> <li>• disciplinary action relating to the RTO's training and assessment services to either domestic or international students</li> <li>• an adverse finding by another government entity</li> </ul> <p><b>Note:</b> failure to declare this information including if the non-compliance has not been resolved and why, may result in the RTO being deemed ineligible by the Department.</p>
<b>Employer feedback</b>	<p>Results of employer referee checks will be evaluated in Stage 2.</p> <p>RTOs will not receive a copy of the employer feedback.</p>
<b>Nominated Courses Form</b>	<p>Nominated Courses Form completed and submitted that identifies each qualification or skill set the RTO is seeking to deliver by ITG, the delivery region and locations (Remoteness Areas), and predominant delivery mode.</p>

## Schedule B – Terms and Conditions

### 1. The Department reserves the right to:

- invite any person or entity to submit a EOI STAGE 1 response
- extend the Closing Date and other dates for the EOI STAGE 1
- vary the EOI STAGE 1 requirements at any time subject to the Department first giving each Respondent the opportunity to respond to the variations
- allow a Respondent to change its EOI STAGE 1 response before the Closing Date but only if the same opportunity is given to all Respondents
- consider a EOI STAGE 1 response submitted other than in accordance with the requirements of this EOI STAGE 1 document
- consider an incomplete EOI STAGE 1 response
- exclude from consideration an EOI STAGE 1 response that has not been submitted by the Closing Date and Time
- abandon this EOI STAGE 1 process at any time
- clarify any aspect of an EOI STAGE 1 response after the Closing Date
- seek the advice of external agencies (third parties) or consultants to assist the Department in the review and assessment of EOI STAGE 1 responses
- make enquiries of any person or entity to obtain information about a Respondent and its business activities or EOI STAGE 1 response
- seek information from any Respondent following consideration of a submitted EOI Stage 1 response
- enter into negotiations with any other person or entity who is not a Respondent
- discontinue negotiations at any time with any Respondent.

### 2. No Legal Relationship

The information in this EOI STAGE 1 document has been compiled on behalf of the Department to inform and guide Respondents interested in being considered and assessed for the delivery of Queensland Government subsidised training and assessment services under the new SAS framework from 1 July 2025.

It does not constitute an offer or an invitation to make an offer. It also does not indicate an intention by the Department to enter into any form of legal relations with any party receiving it.

Nothing in this EOI STAGE 1 amounts to any process contract, and in making this EOI STAGE 1 available and conducting this EOI STAGE 1 process, the Department expressly excludes any process contract arising.

### 3. Expectations

The Department expects, and by submitting an EOI STAGE 1 response the Respondent accepts, that:

- the Respondent has fully informed themselves of all facts and conditions relating to this EOI STAGE 1 process
- all costs relating to the preparation and submission of an EOI STAGE 1 response are the sole responsibility of the Respondent. The Department shall not pay any Respondent, wholly or in part, for its EOI STAGE 1 response
- the Respondent will not be entitled to claim compensation or loss from the Department for any matter in connection with the EOI STAGE 1 process including from any termination of, suspension of or exclusion from the EOI STAGE 1 process
- the Department is not obliged to accept any EOI STAGE 1 response if, in its sole discretion, it does not meet the requirements stated in this EOI STAGE 1 document
- the Department is not obliged to accept all or any courses (qualifications and/or skill sets) requested by the Respondent in their Nominated Courses form
- the Department may consider or accept (at its sole discretion) any EOI

- STAGE 1 response including without limitation a late response or a response from a Respondent who has failed to submit a response in accordance with the requirements in this EOI STAGE 1 document
- no acceptance of an EOI STAGE 1 response, nor any invitation to negotiate, or to make an offer, will be binding on the parties, unless and until a formal written contract is executed by both parties' duly authorised representatives
  - notification to a Respondent that it meets the Mandatory Eligibility Criteria will not constitute an offer, but is simply an invitation to provide additional information (qualitative responses) for further consideration and assessment at EOI Stage 2
  - the Respondent will give full cooperation to any probity auditor assigned to this EOI STAGE 1 process (including the provision of additional information and making their personnel available for discussions)
  - the Respondent warrants that it does not have any conflicts of interests, except for any interests declared (actual, perceived or potential) in their EOI STAGE 1 response
  - the Respondent will not unlawfully collude with any other potential Respondent
  - the Respondent will comply with all laws in force that may be applicable to the EOI STAGE 1 process including the Competition and Consumer Act 2010 (Cth)
  - the Respondent will disclose whether acting as agent, nominee or jointly with another person and disclose the identity of the other person
  - the Respondent will not offer any incentive to, or otherwise attempt to influence, any employee of the Department involved in this EOI STAGE 1 process or any member of an assessment or evaluation panel at any time, and
  - the Respondent will not make any news releases or responses to media enquiries and questions pertaining to this EOI STAGE 1 process without the Department's express prior written approval.

- If a Respondent acts contrary to these terms and conditions, the Department reserves the right (regardless of any subsequent dealings) to:
  - i. terminate negotiations
  - ii. terminate consideration of the EOI STAGE 1 response or any subsequent offer, and
  - iii. terminate any contract (agreement) between the Respondent and Department in relation to the new SAS framework without any obligation or liability on the Department to make any payment or provide compensation to the Respondent.

#### 4. **No Warranties**

This EOI STAGE 1 and all statements and information made in relation to it reflects the Department's current intention only. The Respondent agrees that information and intentions set out in this EOI STAGE 1 may change at any time at the Department's sole discretion without notice or reason.

Each Respondent accepts that the risk, responsibility and liability connected with a EOI STAGE 1 response is solely that of each Respondent.

The Respondent will independently make their own enquiries, conduct their own due diligence and obtain their own advice in relation to this EOI STAGE 1.

#### 5. **Information Privacy**

The Department is collecting Personal Information from the Respondent for the purpose of administering this EOI STAGE 1 process.

Personal Information may be shared with third parties including Queensland Government agencies and bodies, non-government organisations and other governments in Australia for that purpose.

Personal Information may be made publicly available in accordance with the requirements of the Queensland Government's policy.