



Template for submissions to the *Quality of assessment in vocational education and training – Discussion Paper*

Key consultation areas

The Department of Education and Training (the department) seeks stakeholder input on the *Quality of assessment in vocational education and training – Discussion Paper* (the discussion paper). The paper covers the following broad themes to improve assessment in vocational education and training (VET):

Chapter 1: Foundation reforms

- ensuring the requirements for VET teachers and trainers provide the strongest platform for high-quality assessment
- ensuring those teaching VET skills are highly competent professionals with high-quality, contemporary skills in assessment.

Chapter 2: Reforms to the assessment of VET students

- assuring the quality of assessment through industry engagement with assessment review and control mechanisms as a gatekeeper before qualifications are issued
- ensuring employers have clear and realistic expectations of VET graduate capabilities which align with the assessment of students.

Chapter 3: Reforms to the regulatory framework

- improving the detection of poor quality assessment
- ensuring quick action can be taken against registered training organisations (RTOs) delivering inadequate assessment
- managing the consequences of inadequate assessment by removing invalid qualifications from the system where necessary and supporting students if this occurs.

How to provide feedback

To support the Training and Assessment Working Group to provide the Australian Government Minister for Vocational Education and Skills with recommendations on how to improve assessment, stakeholder consultations will begin with the release of the discussion paper in January 2016 and continue through to Friday 11 March 2016.

Respondents may provide feedback on some or all of the discussion paper's themes. To assist with the compilation and analysis of the views of all stakeholders, respondents are encouraged to provide feedback via this preferred submission template, with attachments as required. Submissions in alternative formats will also be accepted.

All written submissions to the discussion paper and queries on the consultation process may be directed to the department via email at trainingpackages&VETquality@education.gov.au.

All written submissions will be made publicly available on the department's website, unless respondents direct otherwise. See the [terms and conditions for public submissions](#).

Submission details

1. Submission made on behalf of: Individual Organisation
2. Full name:
3. Organisation (if applicable):
4. Please indicate your interest in this discussion paper:
(i.e. as a student, VET practitioner, RTO, third-party provider, peak body, business, industry representative, regulator or other government agency or community member)
5. Do you want your submission to be published on the department's Yes No website or otherwise be made publicly available?
 - a. If yes, do you want your name and organisation (if applicable) to be published alongside your submission, OR would you like for only your submission to be available and your details kept anonymous? Published Anonymous
 - b. If no, please advise the department upon submission that you do not want your submission to be published or otherwise be made publicly available.

1. Discussion questions – RTO limitations:

- Is it appropriate for relatively large numbers of RTOs to deliver TAE qualifications or skill sets? Should the number be reduced to a targeted number of RTOs focusing on high-quality provision?
- Should RTOs be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors?
- Are TAE qualifications and skill sets so significant that evidence of competence should not—or cannot—be appropriately demonstrated via recognition of prior learning?
 - Is recognition of prior learning for TAE qualifications or skill sets granted with sufficient rigour to ensure the quality of student assessment? Should the practice be restricted?
- Are there opportunities to improve the assessment skills of the VET workforce through changes to the delivery and assessment of TAE qualifications and skill sets?
 - Should TAE qualifications and skill sets only be delivered by VET practitioners who can demonstrate a specific period of training and/or assessing employment history in the VET sector?
 - What circumstances would support a change requiring some VET trainers and assessors to hold university-level or higher-level VET qualifications, for example, practitioners delivering and assessing TAE qualifications and skill sets?
 - Should the TAE Certificate IV and/or Diploma require a practical component? If so, how long should the practical component be?
 - Should entrants to the TAE Diploma be required to demonstrate employment history in the VET industry before being issued with the qualification? Would this condition help to improve the relevance and validity of assessment? How long would this period of time be?

COMMENT:

- There are currently approximately 750 VET providers which have Certificate IV TAE included on their scope of registration. One option to reduce this number is to remove the registration of providers which have low enrolments in their Cert IV programs over the last five years. Providers with large numbers of students should expect rigorous audits as it is, and should remain, a high risk qualification. A more radical option may be to cancel all providers who have it on scope and require them to re-apply against more stringent guidelines for staffing, delivery, volume of learning and assessment.
- Another option may be to enforce further restrictions on facilitators delivering and assessing students completing qualifications rather than restrictions to the number of RTO's endorsed to have the Certificate IV TAE on scope. The facilitators should have at least five years experience in training and assessment with VET, and have higher qualifications ideally a degree qualification in adult vocational education.
- With restrictions on providers and/or facilitators in place, it is not necessary to restrict RTO's from delivery of TAE qualifications to their own staff. Providers are likely to ensure high standards when training their own staff given the possibility that their delivery and

assessment standards and, students outcomes may be impacted as a consequences of those that they have trained poorly.

- Recognition of prior learning (RPL) is a form of evidence based assessment and when administered effectively, allows an assessor to make a judgment that the evidence provided by the student is sufficient to demonstrate competency. However, there needs to be a greater understanding and acceptance that a registered secondary school teacher with a teaching degree may not be appropriately educated about training packages, units of competency, adult learner principles or the VET sector.

Evocca supports the continuation of RPL processes within the VET sector. Not permitting RPL is likely to restrict highly qualified and experienced vocational educators using their international qualification and experience to receive RPL for components of the Certificate IV in Training and Assessment. In these instances, knowledge gaps may exist primarily in the understanding of the Australian VET system rather than in their ability to properly educate students. These gaps can be filled through further training but not at the expense of RPL.

- RPL tools and all evidence should be audited by ASQA in line with the qualification remaining high risk.
- There are a number of ways in which the assessment skills of the VET workforce could be improved through changes to the delivery and assessment of TAE qualification and skill sets. Evocca's perspectives on some of these options are detailed below.
 - At least 5 years' experience, however quality of activity verified by consistent achievement of compliance with validation standards and not solely length of experience is important.
 - Introducing a requirement for a degree in adult education or similar higher-level qualification may be useful. However, it is necessary to also evaluate the quality of programs offered by Australian Universities and in the context of this discussion paper, examine the quality of the VET based assessment component of their offerings. It is important that these programs are delivered by staff with assessment experience and credibility.

The minimum standards for teacher qualification should include strict enforcement of the Diploma TAE, a minimum number of years of experience requirement as well as testimonials in relation to teacher/assessor quality.

- A practical component of mandatory Vocational Placement is supported with simulated assessment removed from assessment conditions. Qualifications at the Certificate IV level should not be issued until the candidate has completed at least 100 hours of training and assessment under supervision. This should be documented through a log-book with observational assessment of delivery and assessment by the qualified assessor.

- Yes, at minimum 1 year of experience post Cert IV qualification. However, we are unsure of how many Diploma level students actually enter at this level as an initial qualification.
- Yes, since the TAE Diploma is primarily used to upskill existing teaching staff it is logical that employment history should be a pre-enrolment condition. There is also an argument for the inclusion of a practical component during or after completing the Cert IV.

Consideration should also be given to the possibility that entry requirements at the Cert IV level be restricted to those who already have vocational competence and demonstrable industry experience/skills to support their entrance into Vocational Teacher Qualifications.

General Comments:

The high level of casualisation, the extent of their teaching/training role and the sector in which they predominantly teach is relevant to the basic level of teaching or training qualification it might reasonably be expected for teaching or assessor staff to hold.

Qualification expectations and the level of participation in appropriate development might also be different for those working in different provider types, and with different employment arrangements. They might, arguably, also be higher for a provider's core of permanent or longer term employed teachers, trainers and assessors (especially those with educational leadership roles), and possibly different for those in specialist roles such as providing language, literacy and numeracy support.

For a range of VET's teachers, trainers and assessors, and especially casual staff and those on short term appointments, a significant issue is their access to and participation in professional development appropriate to their needs, including further and higher levels of qualifications. Their level of participation may also be related to cost (which can be high), the incentives available to encourage participation (or impediments that discourage it – for example the level of tax benefits for undertaking such study), and the perceived return on the investment of their time and money. None of this is considered in Chapter 1 of the discussion paper and we would encourage the working group to consider these influencing factors.

2. Discussion questions – skills and qualifications of trainers and assessors:

- Should the TAE Certificate IV be changed to a core unit on the design and development of assessment tools? How would this improve assessment outcomes for students?
 - Should the core unit be the existing *TAEASS502B Design and develop assessment tools* unit of competency? Are there alternative approaches, such as developing a new unit on the design and development of assessment tools?
 - Is the *TAEASS502B Design and develop assessment tools* unit of competency a specialist unit that should only sit at the diploma-level on the basis the Certificate IV is currently designed for delivery to new entrants seeking to be trainers and assessors?
- In the case of making any updates to the TAE, is it appropriate to form judgements based on majority considerations? Or is it too risky to do so? Is it a better basis for decision makers to give strong weight to key stakeholders and the nature of the argument put forward?

COMMENT:

- No
 - It may be appropriate to look at the nature of the Cert IV and the reasonable expectations of a beginning teacher. There are presently two core and two optional units which are assessment oriented.
 - We are of the opinion that a beginner VET teacher does not have the required level of experience and that it would be better if assessment tools are developed by specialists. The core unit should focus on using tools, how to apply benchmarks to inform assessment decision making and the review of assessment tools.

A more appropriate option may be in providing access to high quality professional development (PD) on VET assessment post Cert IV and to see an on-going approach to PD amongst staff. This could include formal learning, structured but informal learning and informal learning that comes from being a reflective practitioner who is part of a high quality teaching team.

In addition, it would be better to have expert opinion on assessment issues and content. Consideration as to why the quality of assessment in VET is being discussed in itself indicates that compromise in this regard has weakened confidence in VET assessment outcomes as a result of the structure of TAA/TAE packages to date.

When assessment tools are developed by an RTO, we would strongly recommend that it be mandatory that they are validated by a person who holds the *competency TAEASS502B Design and develop assessment tools*. Understanding the design and development of appropriate assessment tools requires experience gained over time as a practitioner, in particular what does and does not work well for varying modes of delivery and cohort types. Limitations on the minimum experience of staff who develop learning and assessment tools (Diploma of TAE skills set) would be better positioned to achieve the desired outcomes of improved validity of training and assessment materials.

3. Discussion questions – benefits and purpose of a VET professional association:

- Is there a need to establish a national professional association for Australia's VET system?
 - Specifically, is there a clear role for Australian governments in assisting the development of professional skills of the VET workforce by funding a professional association?
- What are the barriers to establishing a national professional association? How could these be overcome?
- What would be the most useful guiding purpose of a national professional association?

COMMENT:

- It would be useful to have such an association, but the difficulties of establishing it should not be underestimated. Significant seed funding from Government may be required. One potential option available is VETNetwork.

If approved, it would then have to establish itself and set up its roles and gain credibility so that it can be a voice for practitioners and make a contribution to their development. This will take several years.

There has to be a strong value proposition to encourage membership, particularly if membership is to be by individual contribution rather than mandated as it was in the UK.

- Suggested member services include:
 - Website, including useful information, resources, forums and links
 - Organised events, including conferences, meetings, special interest groups and PD programs
 - A mentoring or support scheme
 - An e-portfolio to document personal continuing PD
 - An awards scheme to recognise excellence

4. Discussion questions – potential activities of a VET professional association:

- What activities would be most beneficial for a national professional association to undertake? For example, would it:
 - coordinate, approve or design professional development programs
 - develop capability frameworks
 - positively promote the profession of VET trainers and assessors as an employment destination and career path to attract professionals
 - act as an advocate and voice for VET trainers and assessors
 - interact with industry to respond to their emerging needs
 - register VET practitioners?
- What advantages would there be to conducting these activities at a national level rather than through existing professional development undertaken through membership of existing groups, or that which is currently organised by RTOs?
- Are there any existing organisations that could fulfil this role?

COMMENT:

- Previous research undertaken in this area suggested the roles in descending order of importance were:
 - Being a strong and respected voice for VET practitioners in shaping policy and practice;
 - Fostering continuing professional development, which would include coordination and approval or design of professional development programs;
 - Recognising excellence and promoting high standards of professional practice;
 - Developing a code of professional conduct; and
 - Developing strategic alliances with a range of other organisations with complimentary interests in Australia and internationally.

Other areas that could be considered include maintaining a register of VET practitioners and the approval of Teacher Matrices to endorse qualifications/Units of Competency that individual trainers are validated as suitably qualified to deliver.

- The VET professional association should be about individual practitioners – not training organisations.
- PD should not be restricted to one organisation. Organisations such as, ACPET, VETIG, VELG, VetNetwork, VetConnect and many others offer a range of PD throughout the year. It is important to have this choice because more options provide a broader range and more affordable pricing of PD opportunities.

It would be advantageous to have a central registry of organisations offering PD, ideally as part of training.gov.au

For several years, the Queensland Government funded the VET PD initiative, and a website www.vetpd.qld.gov.au was created. Similar to the *Back to Basics* series. This was created to

provide cost effective and time efficient PD for as many trainers in the VET sector as possible. For example, the document *Inclusive learning: A way forward* was produced in Oct 2012. <http://www.training.qld.gov.au/resources/training-organisations/pdf/inclusive-learning-framework-booklet.pdf>

Unfortunately, when PD is managed by government departments, it does not seem to be sustainable, and when governments change, these resources disappear.

There is a wealth of valuable documentation already created to help trainers be better at their job but it difficult to locate due to the lack of an ongoing and sustainability central repository system.

5. Discussion questions – models for a VET professional association:

- Which of the suggested models for a VET professional association would be considered most preferable and viable in the current VET environment? Model A,B or C?
- What value would a VET professional association, or associations, add to the VET sector?
- What mechanism would sustain a professional association, for example, membership fees from individuals or RTOs?
- Should VET teacher and trainer membership with a professional association be mandatory or voluntary?

COMMENT:

- Models A and B are the most viable. This position is similarly reflected with *Clayton and Guthrie* supporting an approach such as Model A to try to get traction quickly and build on existing organisations, networks and arrangements.

Most respondents to a survey *Clayton and Guthrie* conducted as part of their work for the VET Development Centre supported a wide-ranging membership involving practitioners, professional support staff, leaders and managers with many also believing the association should be open to anyone with an interest in VET. While some raised the possibility of a registration scheme for VET professionals and levels of membership the consensus view was that membership should be broad and open, at least initially.

A national registering board should then recognise PD activities from other existing organisations such as ACPET, VETIG, VELG

- Fees less than \$100 per year, paid by the individual
- Mandatory membership by individual

6. Discussion questions – capability frameworks:

- What can be learnt or applied from the capability frameworks that have been developed or are currently being developed?
 - Is there an opportunity to make better use of these frameworks, irrespective of proposals to develop a professional association?

COMMENT:

- There needs to be consistency in whatever is created.
- There are currently a number of frameworks that have been created including
 - The Vet Practitioner Capability Framework - <https://www.ibsa.org.au/vet-practitioner-capability-framework>
 - QCT Professional Standards for Further Education and Training practitioners <http://fet.qct.edu.au/>
- Other interesting documents that cover many of these points include;
 - <http://www.training.qld.gov.au/training-organisations/inclusive-practices/index.html>
 - <http://www.training.qld.gov.au/resources/training-organisations/pdf/inclusive-learning-framework-booklet.pdf>
 - <http://www.vetpd.qld.gov.au/resources/pdf/ic/keeping-it-real.pdf> Keeping it real – industry currency of trainers in Queensland
 - <http://www.vetpd.qld.gov.au/resources/pdf/continuous-professional-learning-strategy.pdf> - QLD Vocational Education and Training Continuous professional learning strategy 2012 – 2015
 - <http://deta.qld.gov.au/publications/strategic/pdf/workforce-strat-plan-print-ver.pdf> - QLD Workforce Strategic Plan 2011 – 2014
 - <http://avetra.org.au/wp-content/uploads/2011/05/38.00.pdf> using VETCAT and CURCAT to reconceptualise and revitalise VET work and workers (research paper)

Capability frameworks may be used for a variety of purposes, including judging the skill mix in a provider and as a way of identifying the depth and breadth of skills in a teaching team as well as helping identify PD requirements. There are several frameworks available:

- Those developed by John Mitchell and Assoc. and presently being marketed through ACER
- IBSA's
- Qld College of Teachers, and
- A new framework being developed for the Victorian Department of Education and Training, which has levels and a significant focus on assessment

- Of higher value to practitioners, RTO's and the VET sector may be having a wide range of high quality resources and PD opportunities, communities of practice etc.
- In conclusion, the capability framework itself is not considered to be a primary task for the intent of this discussion; which is to improve the quality standards of assessment in VET and industry confidence in the system.

7. Discussion questions – increasing industry confidence:

- Are there alternative approaches not covered in this discussion paper on how industry can increase engagement with the conduct of assessment, but not specifically the validation?
- Are there other ways to ensure industry confidence in assessment without requiring independent validation of assessment? For example, are industry-endorsed, externally administered tests a practical alternative to ensure that VET graduates are competent?
 - What would be the benefits and drawbacks in requiring such tests? Under what circumstances would they be mandated, for example, for particular student cohorts? Should these be specified in training products?
 - Who should regulate the tests?
 - Should such a test be a pass/fail dichotomy, or would it be more important to use the test to identify gap training?
 - Is the concept of an externally administered test, such as a test required before receiving a qualification, inconsistent with the premise of a competency based VET system?
 - Should the results of tests be made public at the RTO level?

COMMENT:

Whilst it has been reported that employers are not happy with the skills of graduates, it still seems that what they are not happy with, is the employability skills and the attitudes of many of job seekers.

- An alternative approach could be assuring the quality of assessment through industry engagement with assessment review and control mechanisms as a gatekeeper *before* qualifications are issued
- However, there are difficulties in defining industry and in establishing who should be involved. The issue of industry compromise and strength of voice may in turn compromise validation. In addition, while some employers will have clear ideas about their expectations, these expectations are varied, which further complicates the task of validating. Moreover employers may have unreasonable expectations of the standards of performance that can be attained through training and without significant practical experience. Hence the validation debate becomes one of validating competence. This does not address the issue of what standard competence is validated to, given that multiple perspectives of acceptable standards exist within industry.

For this approach to be effective, the VET sector needs to ensure employers have clear and realistic expectations of VET graduate capabilities which align with the assessment of students.

- There are some skills areas that could be easily tested externally, for instance, in IT, vendor certification which has been mapped to the units of competency could be used to test students.

However, in other skill areas, a test is not going to provide appropriate evidence of competency.

- Final testing by theory examination only negates the intent of competency-based training whereby practical demonstration of the application of acquired knowledge and skills is key to determining the student's ability to perform given tasks to a competent standard.
- Where training packages have applied vocational placement as a mandatory assessment component within a qualification, industry engagement is already formalised through incorporation of feedback on student workplace performance by suitably qualified host workplace supervisors. This direct input through third party observations further informs the assessment decision making process applied by the VET qualified assessor.
- A new unit should be added to all training packages – called “Vocational Placement”, and this would appear on the academic transcript to demonstrate to the employer that the graduate completed vocational placement in the workplace.
- Independent reassessment already occurs, particularly in some licensed occupations, or through particular bodies endorsing qualifications obtained from particular institutions. This is a de-facto validation process and mitigates the need for reassessment.

One way to involve industry in the conduct of assessment without requiring their involvement in validation is for training providers to provide clear guidelines on where the risk elements are, and therefore where the quality of the assessment decision is of most concern.

Other ways include:

- Improving the quality of VET teacher skills such that current quality concerns are dissipated, but the fundamental responsibilities for assessment remain as they are.
- An independent assessment system such as that adopted in the UK, which might be progressively introduced focussed initially on high-risk qualifications or vocational areas. This would have to allow for both knowledge and skills testing, with providers left responsible for formative assessment.

Such a system might be unwieldy, especially if industrial relations arrangements tie pay to competency progression. Thus, the system would need to be both rigorous and flexible to ensure that the assessment system did not revert to a time-based approach to vocational education and training, amongst other problems. Not the least of these would be setting up such bodies in the first place and assuring that they could develop sound and validated assessment instruments and processes.

- A second would be for suites of assessment instruments covering Units of Competency or a qualification to be developed by independent specialist bodies and then endorsed for use through a process of expert validation (involving both industry and acknowledged assessment experts) prior to use. These would then be available, possibly

at a cost (depending on how their development was funded) for implementation by providers, who may require some training for teaching staff in their proper use.

- A third approach is for the RTO to submit and have approved assessment tools prior to their use. This pre-delivery validation of tools could be undertaken by the Service Skills Organisation or the Regulator.

8. Discussion questions – the role of industry in assessment:

- What role should industry, for example, employers and industry organisations, play in validation of assessment? Does the varied interpretation of 'industry' inhibit a proper appreciation of the topic and should it be defined? If so, who would best define 'industry' when considering the practice of validating assessment?
- Do employers or industry groups have the skills required to fulfil this role in validating assessment? Is assessment such a specialised skill that industry and employers either do not want to get involved or should not get involved?
- Is there a need to build industry capacity and capability regarding involvement with training and assessment? If so, how might this be done?
- How can we ensure engagement with industry is appropriately targeted so it does not add undue burden and is targeted to those within industry with appropriate expertise required for validation of assessment?

COMMENT:

- As previously stated, there are difficulties in defining industry, and in establishing who should be involved. Again, the issue of industry compromise and strength of voice may in turn compromise validation.
- In addition, while some employers will have clear ideas about their expectations, these expectations are varied, which further complicates the task of validating. Moreover employers may have unreasonable expectations of the standards of performance that can be attained through training and without significant practical experience. Hence the validation debate becomes one of validating competence. This does not address the issue of what standard competence is validated to given that multiple perspectives of acceptable standards exist within industry.
- There is a definite need to build industry capacity and capability regarding validation of assessment. Skills set training developed specifically for industry validators would assist in the understanding of "VET speak" and would assist industry validators to relate unit of competency skills and knowledge inclusions to job tasks undertaken in the workplace.
- A national register of approved industry validators would improve consistency of validation practices and validation judgements. In addition, it may also assist in the establishment of clear and realistic expectations of VET graduate capabilities, which align with the assessment of students.

9. Discussion questions – specific models:

- How can independent validation be best applied to avoid a 'one size fits all' approach? For example should independent validation of assessment be triggered by:
 - improving RTO practice, for example, through a principles based model and best practice guide to support the VET workforce in identifying the most appropriate technique to validate assessment
 - mandatory requirement to lift quality in specific instances, for example, where a qualification is identified as high-risk
 - funding requirement, for example, independent validation of assessment could become a requirement for RTOs seeking to access government funding.
- Should there be an increased role for external assessment by industry, and in which situations? For example, should it be mandatory for certain industries where there is a concern for public safety if a learner is incorrectly deemed competent?
- If independent validation of assessment is to be risk-based, then what factors should be considered in the assessment of risk, for example, public safety, RTO profile, student cohort?
- Should high-risk student cohorts be required to undergo independent reassessment of industry-agreed sets of competencies before being issued with their qualifications?
 - For example, particular qualifications; students undertaking qualifications with RTOs with high levels of non-compliance; or that conduct assessment wholly online or on-the-job; or in areas of public safety.
- Would the burden be too great if independent reassessments were required for an entire student cohort, and should independent reassessment apply to a sample of students instead? If so, how could such a sample be chosen?
- Who would be most appropriate to oversee the reassessment of qualifications?
 - For example, could existing regulators or other organisations (such as firms that specialise in assessing students) take on this role?

COMMENT:

A clear delineation between reassessment and a capstone assessment must be made in this discussion.

If reassessment means going back over a person's qualifications and reassessing because of perceived competency shortcomings, there is a serious question of fairness at play as the student is being punished along with the provider. Nevertheless some providers complain that they have to re-teach content to those who are now undertaking higher level qualifications, but who hold a lower level one but have seem to have been poorly taught.

The key validation issue here is to adopt a risk-based approach, which is determined by the riskiness of the qualification itself, and/or certain key elements of it; that is, which competencies/skills must

be validated because their shortcomings represent an unacceptable level of risk to individuals and more broadly.

10. Discussion questions – industry expectations and graduate capabilities:

- Is there a role for Government or industry to develop resources outlining VET graduate expectations for particular training products? If so, who should take this work forward?
 - Do higher order issues need to be resolved regarding terminology such as ‘competent’ (as assessed against the training product) and ‘job ready’ (ready to undertake all aspects of a particular job)? Is there a common understanding of VET system outcomes?

COMMENT:

- Yes, the expectations of VET graduate capabilities need to be clear and realistic and, also align with the assessment of students.
- Indications are that employers are confused by student outcomes and VET terminology and, a common understanding of VET system outcomes needs to be further established across industry sectors.
- Industry educational strategies in relation to terminology, system outcomes and graduate performance expectations could be promoted through Government Forums, Service Skills Organisations, Industry Peak Bodies, Job Network Providers and Specialist Recruitment Organisations.

11. Discussion questions – evidence of assessment and graduate competency:

Should the Standards for RTOs be revised to include strengthened and more specific rules around the conduct of and evidence to support assessment? Which elements that have a clear link to quality of student outcomes need to be strengthened?

- Would a more prescriptive condition of registration, such as a requirement for RTOs to retain all assessment samples for a longer period, improve the quality of assessment?
- How could the focus of regulation move to evaluating assessment outputs, such as samples of students' assessment pieces, without incurring excessive costs or imposing excessive burden on RTOs?
 - Is ASQA the appropriate regulator to oversee this function, or are there better placed agencies such as firms that specialise in assessing students?
- Are there other mechanisms that you would like to see added to the regulatory framework to prevent poor assessment? For example, should training-only RTOs be recognised as a formal part of the regulatory framework?

COMMENT:

- Increasing the retention time of assessment evidence will not fix the issues with assessment. Instead it will place an undue burden on providers due to the difficulties in retaining assessment samples. Rather it is the matter of efficient record keeping and certified evidence gathered both at the provider and where possible on the job.

In reality, you have to look at both assessment process and outputs as a good but not valid output can be obtained if key elements of process are not deemed valid, i.e. the process used to create the product also needs to be assessed properly.

- The difficulty for the regulator is the speed with which it can act. An RTO could train and assess for many years, believing that their practices are meeting the standards, then be audited to find out they are not compliant. A solution could be that random sample assessments are routinely submitted to an assessment agency for every RTO at least 4 times per year. This would provide more timely scrutiny of the assessment practices.

This risk could be mitigated if all assessment tools were to be approved prior to being used. A sample assessment tool for each competency should be developed when the training package is being developed. This can then be contextualised or used by RTOs. Some years ago, the training generator was going to assist trainers and assessors, stop the massive reinventing of assessment tools and reduce the costs of assessment. However this never reached its full potential.

- The regulator's current auditing practices are conducted by auditors who are experts in audit processes and, development and design however may not have the necessary vocational competence to determine validity of assessment tools or assessment evidence.
- This could result in incorrect auditing determinations both in support and not in support of the quality of assessment administered by the RTO.

Mandatory requirements for auditors to hold vocational competence and currency when undertaking audit of assessment strategies, tools and evidence would significantly improve the auditor's ability to effectively validate the quality of assessment administered by an RTO based on evidentiary outcomes from valid samples of assessment evidence provided at the time of audit.

If this is not practicable, then the oversight of this function is best placed with agencies that not only specialise in assessing students, but have specialisation in the industry sector for which they are overseeing this function.

12. Discussion questions – enforcement:

- How could the focus of regulation move to evaluating assessment outputs?
- Which additional regulatory enforcement options should be considered in dealing with RTOs providing inadequate assessment? For example, should the regulator have an explicit administrative power to require a RTO to arrange and fund external reassessment, or should additional civil penalty provisions be created?
- To what extent should the characteristics of the RTO influence the response? Should the size of the RTO or the number of students involved matter?
- Given the need to balance procedural fairness with swift and effective enforcement action, what methods should be available to the regulator to manage RTOs that are repeatedly non-compliant with assessment requirements? How could such repeat offenders be defined?
- What role should regulators have in communicating their activities and findings? Does current regulatory practice provide adequate transparency and disclosure, or are there other approaches that should be taken?

COMMENT:

- As previously stated, the difficulty for the regulator is the speed with which it can act.

This is complicated by the public funding of much of VET where there is a de-facto second regulatory process in the form of contract management and compliance. Thus, if as in Victoria, problems with the quality and validity of assessments are found, the question of who is responsible for addressing the issue is raised.

Rather than tightening regulation further in the ways proposed, it may be better to focus on improving the assessment skills of RTOs through a more rigorous examination of the development of teaching and assessment skills in staff and their maintenance of vocational currency.

Another approach is to clarify what the validated approaches to assessment are and how they can be readily audited. This might imply a greater focus on more centrally developed and validated approaches to assessment.

- The current regulatory practice provides adequate transparency and disclosure.

13. Discussion questions – cancellation and reassessment:

- Where inadequate assessment has occurred, should the power to cancel qualifications be exercised more frequently than it has in the past? What factors should affect this decision (for example, potential impact on public safety) and how should they be balanced?
- Should a scheme for the reassessment of students be implemented? If so:
 - Are there any situations where a student should not be offered the chance to be reassessed, for example, student fraud?
 - Should there be a time period after which ASQA should not move to cancel an individual's qualification? Noting potential public and other safety issues, should a decision to cancel consider whether or not the person involved is reliant on the qualification for their current employment?
 - Who should bear the cost of reassessment and any gap training found to be necessary? If the cost is to be recovered from the RTO, should this be pursued regardless of the RTOs financial viability?
 - Who should deliver the reassessment? Are there any circumstances in which it would be appropriate for the original RTO to undertake the reassessment?
 - What should the qualifications be for those doing the reassessment, and what industry experience and currency would they need? To what extent should ASQA, industry or employers be directly involved in the reassessment process?
- Should a tuition assurance fund be set up to further protect students in Australia's VET sector, particularly in the context of any scheme of reassessment or cancellation of qualifications? Should membership be mandatory for all RTOs? Who should operate such a fund, and who should bear the cost of its operation?
- What linkages with income support eligibility should apply for graduates impacted by any recall of qualifications?

COMMENT:

- Tuition assurance could be extended to cover the need to re-assess or receive gap training to achieve competence in instances where a qualification issued is considered high risk and the validity of assessment is determined to be systemic.
- Whilst the question has been raised in regard to linkages with income support, perhaps foremost consideration should also be given to the disparity between income support duration based on nominal hours rather than AQF Volume of Learning requirements.

An example of this issue is the Diploma of Business Qualification. The nominal hours, on which income support is based, is well below the volume of learning of a Diploma, which is typically 1 – 2 years (1,200 hours per year). This has the potential to impact the quality of assessment as it limits the RTO in providing sufficient learning, research and assessment time for students to develop and retain the skills and knowledge gained throughout the training process. This has a direct impact on the outcomes for students and expectations of VET graduate capabilities.