



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:

The number of RTO's delivering TAE has grown proportionately with the introduction of VET FEE Help opened up to both public and private providers. To cater for the increased demand for trainers qualified to deliver TAE, enterprising RTO's have reduced the time taken (online courses), and the costs of enrolment, to complete the certificate. The impact of this significant change raises questions about the quality of the delivery, especially given the short delivery time frames. Some as short as three days?

ASQA's report on registration and compliance audit findings identified poor assessment processes as a major factor in RTO's not achieving compliance. The system as it currently stands suggests the proliferation of RTO's (800) registered to deliver TAE and the introduction short delivery time frames has led to a low level of competency in the delivery of assessment.

Restricting the number of RTO's delivering the TAE may not necessarily raise the standard but will lead to higher enrolment fees. Restricting RTO's from delivering TAE to their own trainers and assessors may prove to be an issue for regional and rural RTO's that don't have alternative providers to deliver TAE within their region. The ACE sector relies on a mix of trainers, paid and voluntary, and

any increase in TAE enrolment fees or restrictions on the right to deliver TAE to staff may disadvantage this important sector by reducing access to qualified trainers.

A greater focus on the quality of delivery, as opposed to limiting RTO's that deliver TAE, would continue to meet the demand for qualified trainers. The introduction of a time-based component incorporating practical classroom delivery is recommended to improve TAE delivery. The hours should increase from Cert IV TAE to the Diploma of VET.

RPL for TAE should follow the same rigour and compliance as would apply in the gathering of evidence of any RPL process. The TAE RPL process should include a requirement to deliver "X" number of hours prior to issuing of the qualification. The TAE should be delivered by those who have completed the Diploma of VET and can demonstrate three to five years experience in the delivery of training and assessment.

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:

The short answer is yes the design and development of assessment tools should be a core unit in the TAE at Cert IV level. This will ensure trainers have a greater understanding of assessment and be expected to design assessment tools for students. There are occasions when assessments tools are not available and a trainer must develop their own. Trainers will be better equipped to teach.

It would be reasonable to include the TAEASS502B unit in the core. It should not sit only in the diploma level. For example TAFE only require Cert IV as the minimum qualification to teach VET. As long as this is the case and considering the current Cert IV is not delivering the best outcome in assessment (according to ASQA audits) including the TAEASS502B would be a viable option to lift the quality of teaching delivered by practitioners with the Cert IV, entry level or not.

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:

No. There are already a number of national professional associations with a focus on supporting VET in specific sectors. Funding another “group” will add another level of bureaucracy and tie up funds which could be used to support specific project grants applied to enhance the delivery of VET in each specific sector. PWC’s Skills for Australia is funded as the SSO to support the Industry Reference Committee with development of TAE. They should be working collaboratively with existing peak bodies to improve the quality, implementation and support of the TAE within the overall market place.

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:

Covered in question 3

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:

Refer to question 3

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:

The VET Capability framework is a useful tool to identify gaps for professional development. Unfortunately it can be under utilised, possibly ignored and misunderstood due to the nature of the training market where trainers are required to be up and running fast to meet demand driven delivery. Incorporating the framework as a tool to describe the broad capabilities required for a range of job roles in the VET sector provides a common language for the knowledge, skills, behaviours and attitudes that practitioners will display, if they are performing well in their roles.

This can only improve the quality of delivery if utilised correctly.

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:

The current system of regulation has clearly identified systemic shortcomings in training and assessment across the VET system, which resulted in further reviews and this discussion paper. When the sector is regulated, reviewed and improvements actioned, adding another level of testing would seem to be counter productive, be contrary to the premise of competency based assessment and would only increase costs to providers and participants.

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:

The theory and understanding of assessment is an essential part of the determination competency. It is the measure of participant understanding. Industry/employers have the central role in the development of the skills that are required along a journey to competency. Unfortunately, being an expert in a particular field or trade doesn't necessarily correlate to being a good trainer or assessor. Since the introduction of the workplace assessor course in the early 90's the challenge has been to find people who are competent in their chosen field and are equally as good at transferring those skills through training/mentoring. SSO's and IRC's are required to act as the conduit for industry/sector input into VET system. Validation of assessment should be a focus of, and central to the function of IRC's.

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:

Independent validation is a requirement of the 2015 AQTF standards for RTO's. Sector specific approach to validation of assessment has merit as opposed to a one size fits all. It would depend on the size of specific sector and the costs associated with trainers and assessors undertaking validation processes.

In the circumstances where a re-assessment is required due to non-compliance the RTO should be made responsible for the cost and be required to reassess the student once the compliance issues are rectified. This would be a requirement to avoid suspension or cancellation of registration. Independent bodies and regulators already regulate high risk areas. Assessments undertaken must reflect and reference the requirements of these bodies.

Dealing with the specific areas of none compliance within an assessment process and implementing changes to improve the performance of RTO's is the common sense approach. Should a particular industry/sector identify

specific shortfalls it is reasonable to expect the sector to undertake professional development programs to remedy the issue. It becomes a cost to that sector and should not be borne by all other providers.

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:

Industries, or the specific sector, are responsible for the determination of competency incorporating the current terminology. Any changes to the terminology will inevitably lead to confusion. The development of resources to deliver training is done with industry or sector input. Resource development can be achieved through an industry round table or community of practice. The IRC seem to be the logical choice to oversee the process. If the Government were to fund resource development it should be made available at lower cost to RTO's. Sharing of resources for generalists' qualifications such as the TAE must be open source to ensure consistency and understanding of VET training and assessment. To avoid price gouging, access to resources should not be locked down to one source as the subsequent development of alternative resources will become an issue (it's cheaper to do it "in house" rationale). This creates duplication and has the potential to dilute the quality of assessment within the industry.

The determination of job ready is more than an adequate knowledge of the skills required to do a particular task. It is also about attitude and maturity of the individual. How that is quantified within a competency based training system is difficult to define. The focus for job readiness should remain within the context of the skills obtained and confirmed via a robust and clearly understood assessment process.

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:

The standards are adequate. The issue is around enforcement and the associated timeframe to undertake audits. Where there is system failure, such as what has occurred over the past 2 years, regulators become limited in response times due to the sheer volume of problems. As a result students complete their course (prior to any audit regime) and have a qualification (piece of paper) that is essentially worthless because of poor assessments. The retention of assessments for longer periods of time may assist with this issue. However, consistent and persistent auditing, sharing of information when systems have failed (ASQA currently provides this through their website) to inform RTO's of the risks they need to be looking for within their respective operations.

The current auditing process requires the RTO to provide the supporting evidence of assessment. It would seem reasonable that ASQA should continue to oversee this process. The only potential issue would be in Victoria and WA where they have state based regulators.

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:

The introduction of an RTO classification system may be the answer to these questions. Some RTOs can now apply for delegation if they have a history of compliance and meet the eligibility criteria. This approach rewards high performing providers, reduces the regulatory cost burden and gives RTO's the incentive to implement a culture of continuous improvement. RTO's that are repeat offenders must be closed down. Allowing them to continue to operate while they fix issues devalues the training sector, which affects all providers. Following a re-registration audit there should be a further review to ensure the "paper based" evidence provided at the initial audit is verified in the activities undertaken by the RTO. Workcover type "on the spot" audits may also be a good incentive for RTO's to be diligent and ensure quality is maintained and ongoing.

ASQA should continue to issue audit finding alerts across the sector to help stem the problems associated with non-compliance. They must be transparent so that the community is adequately informed and to avoid incorrect information sharing.

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:

In the circumstances of inadequate assessment the regulator should have the power to suspend the qualification pending a re-assessment. This would apply when there is a risk to public safety. If an RTO's assessment tools are found to be invalid at audit, and there is insufficient evidence of students' competence, and the qualification/job role is high risk in terms of public safety ... it would seem on face value that the situation calls for re-assessment. However according to ASQA's figures over 70% of RTOs fail the assessment standards at audit, so that would equate to a massive amount of reassessment. Presumably any issued qualifications would have to be revoked; otherwise there is no incentive for the student to put himself or herself forward for re-assessment.

If a scheme were to be implemented, the training package (and RTO standards/regulators) would need to provide much more specific and detailed information on what constitutes sufficient and valid evidence, as many of the non-compliances in the assessment standards may be minor, open to interpretation, and/or due to a genuine misunderstanding of the expectations for documenting evidence (e.g. the assessors judgements may have been sound, but the 'evidence' recorded in their

written documentation is interpreted by an auditor to be insufficient - lack of detail in the assessor's record of an observation of a student's performance). If a reassessment is required then the payment cost should be born by the guilty party. If such a scheme is implemented on the basis of RTOs being given full and complete information on expectations - no grey areas - so only truly negligent RTOs would be found non-compliant, then it seems reasonable that in the case of true negligence an RTO would bear the cost of reassessment and gap training (or at least face a fine that would cover such costs). In the case of true negligence it would also seem reasonable that this would be irrespective of financial viability. An independent RTO - with a history of compliance - should be engaged to undertake the re-assessment.

In a deregulated training market there is need for a tuition assistance scheme (TAS). The costs of maintaining such a scheme must be contained through greater regulation of providers to reduce the risk of an RTO failing and students requiring support. The scheme could be supported by a system where RTO's that have repeat issues of non-compliance are fined and those funds fed into the TAS. The TAS should be run by the regulator and not by private entities.

Centerlink should cover income support for students who have their qualification cancelled. Employers/industry need to be consulted and involved in this conversation. A reasonable employer would work productively with their employee (where it is not the employees fault) to remedy the situation. The employer would most likely look for financial restitution from the offending RTO.