



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:

REDACTED
3. Organisation (if applicable):

REDACTED
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 website or otherwise be made publicly available? Yes No
 - 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:

- Agree that RTO's should be restricted from issuing TAE quals to their own staff/contractors.
- Disagree with the comment that RPL should not be available for TAE – there are plenty of examples of skills and knowledge which are transferrable to superseding units. The sector is competency-based and TAE is no different to any other qualification and should, therefore, be afforded the same opportunities for RPL as any other qual/unit.
- Agree that TAE should only be delivered by qualified and EXPERIENCED practitioners.
- Can only comment that any practical component should be as long as is necessary to ascertain competency

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:

- Agree with the inclusion of *TAEASS502B Design and development of assessment tools* as a core unit in the TAE4 qual – this has been lacking since the BSZ. Consider that the unit is a core skills of being a trainer and assessor, even entry level, as assessment instruments need to be adjusted to meet cohort and individual requirements (eg LLN/ACSF/etc)
- Concerning updates to TAE – it depends on who is the “majority” and who are the “key stakeholders”. I’d remove both these sectional interests and consider “it is a better basis for decision makers to give strong weight to the nature of the argument put forward” – whoever is the source of the argument.

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:

- There are already several organisations offering professional development – ACPET, Velg, Insources. I don't consider that it is necessary to regulate a national association. Accountants are required to be a member of an association – CPA or NIA or CA. It is their choice as to which offers the best service to them. The same could apply to ACPET, Velg, Insources, etc – leave it up to the individual to choose which. Is there a difference between a "national association" and a "union"?
- It would certainly assist practitioners if the association(s) were funded by the government – alternatively, that RTO's were funded to assist their staff maintain their professional development standing
- Can only comment that any vision or mission statement would run along similar lines to that of all membership associations: eg CPA "to maximise the share of people who want a career built on professional accounting skills" – replace "professional accounting" with "vocational training and assessing".

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:

- Design and delivery of professional development program
- Promote the profession
- Act as an advocate – particularly for TAE reform and FairWork matters
- Registration
- Consider that the market place should determine which organisations are successful and am opposed to nationalisation for the sake of nationalisation
- As said above, ACPET, Velg, Insources, VET Development Centre

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:

- Consider Model A to be the best, with the comment that an existing national body (eg ASQA) be the endorsing body. Cannot consider that Model C would work successfully.
- Consider that the existence of a professional association(s) would enhance the social status of the profession
 - Furthermore, a requirement could be that all contracts of employment (employees and contractors) be lodged with the professional association to ensure compliance with the FairWork act – there are still RTO which pay no more than \$25/hr for face to face delivery. This would level out the playing field.
- The organisation should operate by way of membership fees, non-member activities and government funding (based on membership base)
- Mandatory membership – to ensure compliance with Standards 2015 clause 1.13(b)

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 capability framework could be embedded into the (post-secondary) award.

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:

- Can see the benefit of some qualifications – eg national security, health (eg nursing), TLI, children's services and aged care, for example – being externally assessed. For example, the unit *TLID2010 Operate a forklift* is not the same as having a forklift driver's license – this must be obtained from the state department of transport. Similarly with all major TLI driving qualifications. The sector has been abused for many years by tick and flick RTO's graduating students who were grossly incompetent
- An externally administered test is not inconsistent with competency-based training: it is the final test for competency.
- Would be good to have this arrangement excluded from being an auspicing arrangement – perhaps the organisations offering them are endorsed by the relevant ISC or SSO
- Not sure that making the results of tests public would be conducive to improved standards – failing a test can say more about the candidate than about the teacher or system

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:

- Can't expect that industry will donate much of their time to the operations of another business. Unless there is direct funding to industry for engagement validation of training and assessment tools is about all that can be expected.
- Industry is often ignorant of the minutiae of the VET sector and don't want to learn it.
- Industry is involved in all cases of vocational placement in that one form of assessment is the Third Party – either written or oral giving feedback on the candidate.

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:

- Perhaps high-risk qualifications and high-risk RTO's could be subjected to a more rigorous engagement with industry (eg through SSO's or their committees)
- It is fine for us in the VET sector to call for more industry involvement, but beyond political rhetoric and media commentary, which industry? what action? who pays? It might be that the current system is the best that can be offered given the practical input and time constraints of industry. There has been too much denigration of the sector at the political level.

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:

- Am of the opinion that industry through reference committees, implementation panels, scoping studies and membership of the ISC’s, SSO’s, their reference committees and other mechanisms for input should have captured industry expectations. The focus of negative political rhetoric has been targeted at the RTO level of the sector, however industry expectations of graduate capabilities is housed in the training package and supporting documentation.

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:

- Can see the circumstances where a "training-only RTO" is recognised as outlined in the discussion paper
- Assessment samples should be kept for a period long enough to include them in any validation or moderation activities – this can be upto 5 years depending on the cycle of validation/moderation at the RTO. Perhaps in response to a trigger, particular RTO's could be required to retain assessment for a longer period – a cost burden to be borne by the RTO in response to substantial negative feedback

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:

- Consider that both reassessment costs and civil penalty provisions be created. Perhaps would assist students in any civil action they may take against the RTO that ASQA endorse their claim (eg of inadequate assessment) thereby the student would not need to prove to the court of the assessment's inadequacy. The amount of compensation could be prescribed (eg, the total amount charged plus a % as penalty). Would also assist the sector if any out of court settlement agreements between the student and RTO which prescribed non-disclosure be illegal.
- The size of RTO or number of students – the larger an RTO is the more money it can throw at compliance. A large number of students for a small RTO would perhaps result in closure. Nonetheless, all RTO's must be compliant.
- I would have expected that repeat non-compliance would result in restrictions applied or de-registration. Not sure if any further action further than this are required.

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:

- Cancelling qualifications is always fraught with danger – was the graduate competent at the time of graduation but has since lapsed in skills/knowledge? High risk qualifications should be dealt with separately from low risk but can only comment that they should be on a case by case basis. 15 out of 16 students may be incompetent, but 1 is competent; it is not acceptable to punish the one because of the corruption or incompetence of the RTO or inadequacy of the assessment.
- Student fraud / collusion is certainly a case for denying reassessment
- If it is the fault of the RTO, then the RTO should bear the costs
- Insurance should not be made available to RTO's who are not compliant – just as I'm denied insurance if I cause an accident in wet weather in a car that I knowingly had bald tyres. Costs should be borne by the RTO and the RTO's owners – they should not be permitted to hide behind the limited liability of a private company.