



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 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:

The number of RTOs delivering TAE qualifications or skill sets should be restricted. The approved RTOs should be able to demonstrate a commitment to quality training particularly in the area of training and assessment. This will be typically evidenced by their training history including successful completion rates for TAE qualifications.

If the number of RTOs delivering TAE are restricted there should not be an issue with them delivering and assessing training to their own staff. They should be able to demonstrate the process used to assess staff and as this will typically include RPL, it would be expected that a rigorous recognition process supported by appropriate documentation would be available for review.

Currently with so many RTOs delivering TAE, the RPL processes and record keeping used is often very poor. This could be improved by limiting the number of RTOs offering TAE qualifications and RTOs seeking to offer such qualifications should demonstrate a strong history of training and assessment and have in place rigorous RPL processes.

If the current Certificate IV and assessor skill sets are delivered and assessed in accordance with the Training Package requirements they would be quality entry level qualifications into the VET sector. However we have seen over the years a significant shortening of the amount of training for Certificate IV courses and the growth of online delivery.

Practical components are essential at both the Certificate IV and the Diploma qualification (TAE50110) which is designed for those training and assessing.

Currently the practical component at the Certificate IV is poorly managed with many RTOs allowing students to deliver sessions to family and friends despite the Training Package currently requiring delivery to genuine VET learners.

I feel at least one week or 35 hours of delivery and assessment should be included in the Certificate IV. This should be in a workplace and if one does not have access to one, then the full qualification should not be issued until this requirement can be met. RTOs could engage persons who have not completed the practical components on the condition they are supervised and complete their on the job component of the Certificate IV within 2-3 months of starting a position.

RTOs are constantly faced with poorly trained persons who have completed their Certificate IV and this approach would offer RTOs the opportunity to develop the skills and knowledge of the trainer to ensure they are job ready for their organisation.

TAE50110 is designed for trainers and requires 150 hours of placement. I feel this could be reduced to 100 hours. Persons who can demonstrate the practical requirements in a workplace should only undertake TAE50110 or its equivalent. At this level a simulated environment should not be accepted.

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:

This is not an appropriate approach as TAEASS502B Design and Develop Assessment Tools is for experienced practitioners and should be part of the Diploma. I also do not believe it should be an elective in the Certificate IV and definitely not be part of the assessor skill set, as this skill set is often the first step into assessment for workplace supervisors. It is not appropriate at all for this client group.

If this unit is included I feel we will see even more problems occurring with the delivery and assessment of the Certificate IV. Entry level students (as many of them are) will struggle to reach the level of knowledge and skills to demonstrate competency in this unit. Trainers and assessors at Certificate IV should be using existing assessment tools validated by their RTO and learning how to contextualise and validate these under supervision. Overloading the qualification with a higher level assessment unit is not a solution to the structure of the Certificate IV.

It is difficult to justify any updates to the TAE based purely on a majority decision as the number of responses may be skewed to a particular group. In the case of TAE I feel you must listen to persons who are skilled TAE trainers and assessors and other persons whose industry expertise in VET training and assessment. In this case, the representatives of industry associations and other employer/union groups who are typically involved in the development of qualifications may not have the required knowledge and expertise in training and assessment.

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:

I will not offer a detailed response to the questions relating to a VET professional association.

I feel that with the requirement under clause 1.16 of the Standards for RTOs 2015, professional development is in hand. A number of groups are currently offering workshops, conferences and webinars to the VET sector. The latter are a low cost solution for many VET professionals and I have seen a large uptake by VET professionals participating in activities to develop and maintain their VET knowledge and skills.

The VET sector is also made up of a large number of sessional trainers who work in a particular industry. They are unlikely to join a VET professional association as they will not see training as their core skill.

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:

No comment provided.

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:

No comment provided.

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:

No comment provided.

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:

External administered tests sounds like a move back to exams and as the standards require under the principles of assessment to assess knowledge and skills with their practical application one assumes practical assessments will also be externally conducted. The cost of this is not justified.

Why stop at pass and fail -the next proposal will be graded assessments. Yes external tests is totally inconsistent with competency based training.

If industry is concerned about assessment then they should (as they do in regulated areas) conduct their own assessments separately from Training Package qualifications.

I am wondering where this push for external assessments has come from. Is it industry and if so what sectors or perhaps it is the higher education groups?

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:

Validation of assessment processes have only recently been updated in the Standards for RTOs 2015.

I feel there needs to be a 'look and see' approach to see how well the new validation requirements are interpreted and implemented by RTOs before more changes are made.

Many have assumed they must involve industry in their validation teams despite this not being a mandatory requirement. They have misinterpreted the 'current industry skills' to mean they must use an external person, yet they can address this requirement by using trainers and assessors within their RTO who are not delivering and assessing the particular training product.

As noted in the discussion paper the search for capable, interested and available industry persons is very difficult and even more so in regional and remote areas. Many RTOs are now using technology to engage better with industry and at a time more convenient to them.

Overall RTOs are struggling to understand the new assessment validation requirements and this is where a best practice guide, tools and resources would be welcomed by RTOs. The Commonwealth could fund these and a series of workshops/webinars used to upskill VET professionals on best practice validation processes.

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:

The proposal to re-assess students is saying there is no faith in the decisions made by RTOs. Public confidence in the system, which has already been rocked by the media coverage of 'dodgy' providers, will query why anyone would bother undertaking assessments at an RTO if they have to be re-assessed by another group.

Areas of high risk are already effectively managed by respective industry bodies. Nursing, plumbing, electrical, security and the high risk areas in the construction industry are examples that come to mind.

If RTOs with high levels of non compliance, can still have high risk qualifications on scope then the regulator is not doing its job in protecting learners. To allow them to continue to train students with a view to requiring students to be re-assessed is unconscionable.

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:

There has been a long running debate within the VET sector about whether a learner is competent or in fact job ready. The qualification descriptor in the Training Package does describe the qualification outcomes but these would not be widely accessed by employers. Any information on VET graduate expectations per Training Product would be welcomed by industry, learners, parents and other interested users.

VET professionals involved in assessing would probably if asked say that the off the job learner is ‘job ready’ and for persons trained and assessed in a workplace they are ‘competent’. This brings back the ‘old’ discussion from years ago of developing separate qualifications for institution based learners and workplace learners so employers and other interested parties have a clear understanding of the graduate outcomes of each qualification.

There is also still a misunderstanding in many dual sector organisations about the meaning of competence. Many persons working in the higher education space still view competency as a 50% pass.

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 for RTOs 2015 strengthened the rules around assessment. The principles of assessment and rules of evidence has been incorporated into clause 1.8 and provide RTOs with sufficient information on the conduct of assessment.

However the ASQA requirement of retaining assessment evidence for only 6 months has enabled RTOs to delete evidence of assessment very quickly. The period is very short and with breaks over Christmas/New Year and between semesters often RTOs have no obligation at audit to provide assessment evidence as the 6 month period has elapsed since the last enrolled students completed their assessments.

Funded training agreements require assessment evidence to be retained for a minimum of 2 years and the same period of time should be required by the national regulator. It may not necessarily improve the quality of assessment but at least it will enable auditors to examine student files and sight the evidence on which assessment decisions were made.

Auditors currently look at student files so I see no need to create another layer of agencies to undertake this task.

Training only and assessment only RTOs were options previously available when an organisation sought to be an RTO. I am unsure why this option was removed but it was probably because RTOs did not see delivery or assessment only functions as financially viable.

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 discussion paper provides an excellent summary of the issues faced by ASQA in trying to balance procedural fairness with enforcing the regulations against non compliant RTOs.

Unfortunately the protracted periods of time available to RTOs to get their 'house in order' enables the well funded and poor performing RTOs to work the system to their advantage. I do not have the legal expertise to suggest how these powers and administrative penalties can be applied more effectively.

I am concerned there is an underlying assumption that the system is 'broken' and only more punitive solutions are the answer. It would be useful to take a look at why poor delivery and assessment practices have come to light recently.

Can the problems within the system be linked to the large number of new entrants to the marketplace attracted by generous government funding coupled with a risk based approach to auditing.

In regard to new entrants a number of years ago when an RTO was sold (in Victoria at least) the status of the RTO did not pass on with the sale. The new owners had to seek re-registration of the RTO to ensure it still had the capacity and resources to continue delivering and assessing the scope of registration. This is no longer a requirement and the small RTOs that are bought up by a large company are often stripped of their staff and resources, by the profit driven parent company, yet still expected to train and assess students as they had done previously. It does not take long for the RTO to be delivering poor quality training and 'cutting corners' on assessment.

Overall the vast bulk of training providers seek to offer quality training and assessment as it is their passion, however many of the new wave of RTO owners do not have a training background and see training as something to sell. They have no real interest in quality delivery and assessment just the

number of 'sales' they can make. I believe it is this marked shift in the composition of the RTO market that has led to many of the problems discussed in this paper.

The risk based approach to auditing means that ASQA audits are largely focussed on the 'bad eggs' in the industry and as one would expect they are often critically non compliant. The findings from these audits appear to be driving the need for harsher compliance requirements believing this will improve assessment practices.

It would be also worth examining the profile of the RTOs undertaking poor quality training and assessment practices and explore whether tighter controls can be enforced during initial registration of RTOs, changes of ownership and extensions of scope.

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:

Cancellation of qualifications should be enforced more frequently, however the learner must be given the opportunity for gap training and re-assessment at another RTO at no cost to the learner.

The difficulty is determining how far back does one go in cancelling qualifications. As assessment evidence is currently only held for 6 months then this should be the period that qualifications can be cancelled. If retention of assessment evidence is extended to 2 years then this will clearly raise more issues as going back 2 years could mean a large number of qualifications being cancelled. If this is the case then qualifications will need to be risk assessed before being cancelled.

The RTO should pay the cost of the additional training and assessment, however if it has gone into administration or ceased to be an RTO then it will be difficult to enforce. Membership of a tuition insurance scheme may be required for all RTOs to ensure learners can access gap training if required and re assessment.

If the qualification is a requirement for an industry licence then discussions would need to take place with the various industry regulators to work through a solution acceptable to their industry.

If student fraud has been substantiated then the qualification should be cancelled. They would have to undertake additional training and/or assessment at their own cost.