



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: Senior Pathways Officer responsible for VET compliance

(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 numbers of RTOs delivering TAE should be limited and focussed on high-quality provision.
- RTOs should be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors.
- Evidence of competence could be appropriately demonstrated via recognition of prior learning as it is for all qualifications.
- Assessment skills of the VET practitioners' workforce should reflect COMPETENCE not employment history.
- A practical component should be included in the TAE Certificate IV and/or Diploma.
- Concurrent employment history would be the best way for entrants to the TAE Diploma to relate their knowledge and skills but would be difficult to manage.

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:

- A core unit on the design and development of assessment tools would better serve participants in this course as the focus could be on the practical application of their ability to design and develop tasks. The outcomes for students would be that their tasks are designed at a level appropriate to their qualification- not under or over- assessed.
- The existing unit could meet the course needs.
- The *TAEASS502B Design and develop assessment tools* unit should also be delivered in the Cert 4. as ALL entrants should assess appropriately.
- updates to the TAE should be made based on considerations of all stakeholders, not just key ones with a vested interest. A good mix of all types of stakeholders from an industry would be best.

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:

- Currently there are at least 2 groups who provide support to VET professionals- VETNET and VELG, could we work with existing bodies in this field?
- There could be a role for governments since their contribution/ interest by way of budget allocation is huge.
- Barriers to establishing a National Professional Association would be around conflict of interest by large training providers holding positions of power BUT this is case in many situations and can be overcome by setting rules around it at the set up stage.
- A National association would be useful as a one stop shop for VET Professionals and to assist in providing recognition to the sector and market the advantages of VET qualifications. Professional learning could be a spin off.

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:

- All of the activities above would be relevant and beneficial to apply the information CONSISTENTLY across NATIONAL STANDARDS, and not a local interpretation of them.
- It should be done at a NATIONAL level as it is the National Training Agenda that we are working within.
- As mentioned in question 3 VETNET could manage this role.

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:

- Model A would be the best model with both the government and accrediting body informing the professional association.
- Information would be conveyed CONSISTENTLY across NATIONAL STANDARDS, and not a local or industry interpretation of them.
- Membership fees, ASQA funding, government support could sustain a professional association along with fee- based professional development.
- If membership was mandatory could it be enforced via a similar system to Builder's where it comes off the fee levied on the consumer (i.e. the DA application to Council) of the training?

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:

- Find the best models that are in use and apply them across the board in a consistent format.
- The opportunity to make better use of these frameworks, e.g. the BSA model, would be best served by consistency across Skills areas. This should also be applied across how training packages are written. Currently some are detailed while others are missing great amounts of information.

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:

- Externally administered tests would be at a huge cost,
- Trainers would end up teaching to a test and not assess COMPETENCE, AS THE STANDARDS REQUIRE. A pass/fail goes against the notion of competency based assessment,
- If testing of any type takes place, perhaps to investigate non-compliant organisations, then they should be made public.
- Consistency across industry about what a Cert 2 graduate or a Cert. 4 graduate should be able to do, according to the standards should be widely marketed to industry. Often employers want a trainee who can perform tasks at a Diploma level. This is a total mismatch.
- Currently only those with a vested interest in training and assessment seem to be interested and represented in the discussions!

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:

- Industry should be defined clearly, and marketed to stakeholders- representative of small and large organisations included, without a total vested interest in the training market.
- Many employers do not have the skills to validate assessment, i.e. they are operating at the same level as the person they are assessing and have no background knowledge of training and assessment. They would need to have a minimum TAE Cert 4 to be qualified.
- Member bodies of industries could be useful as they are engaged in representing their members and also aware of training. For example in NSW- Master Plumbers, NECA, Master Builders Associations.
- Building industry capacity is a difficult one- small business is too busy. In Western Sydney a number of years ago we sought to train employers frequently used to supervise students in the workplace with the Cert 4 qualification but they were either too busy OR moved to another area taking their skills with them. That issue is not likely to change.
- ENGAGEMENT WITH INDUSTRY could be targeted so that in any area the end user of a trained student be engaged to validate the student pool that they are likely to employ. This is particularly relevant to rural Australia.

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:

- Best practice guide would be a great tool,
- If a provider is high-risk then independent validation of assessment could be used to determine evidence of non-compliance but ASQA should embed that in its processes,
- Funding should not be gained from RTO' as they would only pass on that cost to the student, making training more expensive.
- RISK-BASED assessment should be based on Audit performance, complaints/ grievance reporting, WHS issues could also be a factor linked to non-compliance. Perhaps even considering the language mastery of graduates (this is relevant in customer service and also ensuring that people, for example, Student VISA holders/of NESB backgrounds are not "RIPPED OFF" by unscrupulous training providers.

- The cohort of high-risk students could be reassessed at no cost to themselves as it is the Training Provider that is at fault- maybe they should be fined and this fine used to retrain and assess the high-risk students.
- RTO's with high levels of non-compliance or industries with continued WHS issues could be "High Risk",
- the cost of independent re-assessment would be high but should be met by the training provider who didn't do their job in the first place. The student will already be faced with extra time to be qualified/re-qualified and has paid the cost once. ASQA, RTO issuing the same qualification or a "Professional Association" as mentioned earlier in the discussion paper, would be the most appropriate body.

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:

- Much of this discussion is based around a mismatch of industry expectations. They, as a whole, are unfamiliar with what a “Cert II” graduate looks like and the skill sets students exiting these qualifications should possess. The training.gov site is explicit and comprehensive about defining this but it needs to be marketed to the broader community.
- No common understanding exists within industries, or across them, about what a graduate should look like with a particular qualification.

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 exist and are comprehensive. Consistent application of the standards by RTO's is monitored by existing regulations. Perhaps the parameters within ASQA should be explored and a review of its processes be undertaken. A good analogy of this is around liquor licensing laws- if the laws that exist were adequately and correctly applied then there would be no drunks!
- ASQA is the appropriate regulator, maybe its powers need to be changed and its rules applied!
- There should not be training only RTO's to assess system regulation. Assessment can be FOR learning as well as OF learning and RTO's should be adequately skilled to do both.

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:

- Doesn't ASQA already measure assessment outputs through compliance? If no- perhaps include an additional standard or sub-standard within Standard 2 around destination surveys of graduates and employers of graduates from their courses.
- Perhaps ASQA should have its powers of enforcement raised, and not deferred through the court system. This would also need to be backed up by significant staffing increases within ASQA. Despite this, the structure already exists so it would still be more cost effective than creating another layer of a system.
- Enforceable undertakings could be more appropriate and linked to the degree of non-compliance.
- The "discretionary power" to publish on a National Register should be applied in appropriate circumstances. If enforceable undertakings cannot be applied consistently due to state policy perhaps an act that is National, reflective of a National Training Agenda be developed.
- The characteristics of the RTO should not dictate the response; the rules should be applied equally.
- Repeated non-compliance shouldn't exist- ASQA may need further powers to avoid the same people operating within the system at a sub-standard level.

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:

- The power to cancel qualifications should exist and be exercised more frequently.
- One consequence of this should also be that the student who has not been appropriately trained be offered training at no cost to themselves. The option to redo a qualification already costs them time; it should not cost them money if the RTO has delivered sub-standard training. (FRAUD/ collusion by the student is a different issue entirely BUT the RTO should be able to demonstrate that their assessment is valid and reliable and not open to fraud within the standards that exist now).
- Perhaps the non-compliant RTO should be liable for the re-training or re-assessment costs of the student's qualification. This should be done regardless of financial viability and company status (e.g. Not-for profit RTO's).
- Reassessment should be done by another RTO who works within that same qualification space.

- Tuition assistance fund is a great idea but it would need to be financed through membership or fine structure of non-compliant RTO's. (e.g. Big fee for re-assessment of RTO which covers cost of administering re-assessment and tuition assistance).