



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.

PREAMBLE:

I would like to thank the Department of Education and Training in offering an opportunity to provide our input to to the Quality of assessment in vocational education and training.

From our inception, we have seen at least 4 iterations of major regulatory framework updates. Unfortunately they have created a snowball effect of regulation whilst the regulatory abuses by a minority have also snowballed.

The snowball effect of ineffective cumulative regulatory additions is due to the fundamental omission of independent, accountable and transparent checks of the student. To date, the regulatory focus has been on inputs and processes without the end product, that is, whether the student has received any training, being assessed by the regulator.

Coupled with this and what has unambiguously revealed that the regulatory framework is not fit for purpose, have been poorly designed Government funded programs, although well intentioned.

Ineffective regulatory controls have disadvantaged and continue to disadvantage thousands of students often those with the greatest need for skills training. The same ineffective regulatory controls also impacted many excellent training institutions and industries dependent of competent graduates.

The crux of the problem is that prospective students have no independent source to validate the credentials of Training Institutions.

Further still, through the recent creation of a brokerage industry being allowed to source, assess the capability of, enrol and in many instances train the student out of sight of the RTO itself, creates a separation between student and the RTO. As the prospective student is now at arms length from the Training Institute, this exposes the prospective student to the highest bidder in broker commissions.

As part of this review difficult questions need to be asked:

Why are entry level programs that should be delivered across 6 to 9 months be allowed to be delivered over 3 weekends?

Why are the barriers of a new training provider to enter the market set so low?

Why are the barriers for a new training provider accessing public funding set so low?

Why are practical courses allowed to be delivered totally online?

How can the Vet Fee Help funding model be purely time driven with no regard to academic progress, meaning that training is optional once the student has been enrolled?

Thankfully because of the integrity by the majority of educators both private and public, the excesses by the fraudulent providers although greatly damaging to the sector, had been contained to a minority few. They form a single percentile of total registered RTO population.

The cost of not being able to publicly differentiate and reward quality providers has meant that well intentioned training institutes have dealt with crisis upon crisis, being burdened with further ineffective regulatory requirements instead of building and growing their quality education practices. Worse still, students continue to be exposed to scams and rorts.

Controls to drive quality are lacking. Poor quality training institutions are in a race to the bottom in who can offer the shortest course with less costs. Where Academic Progress is not even required as a control in how Vet Fee Help is funded, then the race is more towards who can recruit the most students no matter what commissions are paid as training is not mandatory.

Although the above identifies the challenges the sector currently faces, there are many good practices by the vast majority of training providers with real outcomes for students. This needs to be recognised and commended. The vast majority of training providers deliver quality training with real student outcomes.

Fixing the system is not difficult. A risk based approach targeting random sample of students to independently assess, is the only independent and accountable measure to determine if appropriate training is taking place. Industry affiliations and employment outcomes are important measures but should not be used as the only measures.

What must go hand in hand with independent and accountable measures is transparency. By publicly differentiating quality providers giving a prospective student for the first time an independent source to validate their credentials, creates a market driven system. This enables a race to the top as opposed to a race to the bottom which is what the VET industry has found itself in the past 20 years.

1. Discussion questions – RTO limitations:

- Is it appropriate for relatively large numbers of RTOs to deliver TAE qualifications or skill sets?
Only if the veracity of the training can be independently assessed.
- Should the number be reduced to a targeted number of RTOs focusing on high-quality provision?
Whilst the outcomes of TAE graduates is questionable then the number of training providers needs to be reduced. The question applies though, will this be necessary if effective quality checks are established and only the providers who meet these checks continue to deliver the TAE?
- Should RTOs be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors?
- *Yes as a norm, with exceptions being made to high quality RTOs who are in Remote or Rural surrounds with no alternative for the individual to undertake TAE training elsewhere*
- 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?
- *If a trainer has earlier training qualifications then these need to be recognised. There should be no restriction if RTOs are not allowed to issue TAEs for own staff AND TAE training is restricted to quality training providers. If these measures are ensured then this further check is unnecessary.*
- 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?
 - *Yes*
 - 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?
 - *University qualifications are not necessary. VET Industry and Training experience is.*
 - Should the TAE Certificate IV and/or Diploma require a practical component? If so, how long should the practical component be?
 - *Yes: Practicum is important. Having real world experience in a VET environment in classroom and workplace settings is key. The duration of the practicum should be 4 to 8 weeks*
 - Should entrants to the TAE Diploma be required to demonstrate employment history in the VET industry before being issued with the qualification?
 - *Yes with the assumption that the entrant can still undertake a CIV in TAE without VET experience.*
 - Would this condition help to improve the relevance and validity of assessment?
 - *Only if supported by the RTO Management*

– How long would this period of time be? *2-3 years*

COMMENT:

See answers embedded within the questions above

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? *Yes. Training and assessment is fundamental. Even where a trainer delivers only training to be assessed by a separate assessor, the trainer becomes more effective once he or she understands how their training is assessed.*
 - 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? *Trainers whether entry level or not are often involved if not designing assessment tools, updating them to conform to a new release of a training package. Further still even if they are not involved in developing assessment tools, having a deeper understanding on how they are formed helps them in delivering these 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?
 - *No. Design and Develop assessment tools is critical to any Vocational Education Trainer. Do not take this responsibility away from them.*
- 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?
- *Casting a net as wide as possible is important in canvassing a number of inputs. Coming to a decision should be based on inputs that you consider are most informed with minimal conflicts of interest. This applies to all decision making.*

COMMENT:

See answers embedded into the questions above

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:

Although I am supportive in trainer development in general this must not be seen as a panacea to raising quality. It has been shown even with the best public Institutes and Universities, commercial pressures can be placed on lecturers to lower standards.

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:

If the purpose of establishing a professional VET workforce association is to raise quality without independent and transparent controls to assessments applied on a risk based model then this is a distraction and will fail.

There is a greater urgency in fixing the regulatory framework.

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:

See above

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:

See above

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:

Unfortunately No. We have been through this process before where assessments are moderated and validated. If a fraudulent RTO chooses to not deliver these assessments or deliver Industry approved assessments whilst at the same time providing the answers to the student, then this becomes another failed measure, although well intentioned, creating another layer of regulation by Industry and good Training Providers.

Industry provides input to tests today through Services Skills Organisations and Industry Reference Committees when designed and approving training packages.

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 can be involved in independently co-assessing (together with a highly trusted and independently assessed Training Provider), a random sample of students from high risk cohorts, high risk RTOs and qualifications that have a high risk safety component. This can be managed by peak bodies such as TDA and ACPET creating a tri-partite arrangement.

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
 - *This can be helpful*
 - mandatory requirement to lift quality in specific instances, for example, where a qualification is identified as high-risk
 - *Yes. A random sample of students can be selected and then enlarged if the initial sample demonstrates high non competence rates.*
 - funding requirement, for example, independent validation of assessment could become a requirement for RTOs seeking to access government funding.
 - *Yes. As above. A random sample of students can be selected and then enlarged if the initial sample demonstrates high non competence rates*
- 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?
- *As mentioned above co-assessment by assessment-graded and highly trusted RTOs with Industry representation or oversight, is better than having industry burdened with the requirement of understanding how assessments take place. Further still, by selecting a network of trusted RTOs, infrastructure exists and is in place today. Little to no investment is required by Government in having to build assessment centres from ground up. Such a network can be coordinated by peak bodies such as TDA and ACPET.*
- 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?
- *Yes to all of the above plus the rate of growth of a provider*
- 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.
 - *Not if the above independent assessments are put in place. There is no reason to repeat assessments by external bodies. This not only invalidates the qualification but to also takes away the responsibility of the RTO to ensure their assessments are valid.*
- 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?

- *Randomly on a risk based model as discussed above*
- 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?
 - *Implementing independent assessments of a random sample of students on a risk based model during the student's original enrolment period will act as a deterrent for RTOs who wish to take shortcuts. Especially if cost recovery and deregistration policies are imposed upon the RTO. This will reduce the number of students that will require reassessment post graduation. In extreme cases where a whole cohort needs to be reassessed the same tripartite group of assessment-grade RTOs coordinated by a Peak Body together with regulator and industry oversight can be used to reassess the entire student body. The benefits of this approach are many. The infrastructure of a network of RTOs exists today across Australia. Of course, the regulator, industry and peak bodies need to undertake independent and indepth assessments in determining who will become an assessment-grade RTO. As peak bodies will coordinate this process they will be exposed to where excesses are taking place and will be proactive in reducing these together with regulators and industry. Further still, Peak bodies are identifying trends and common shortfalls in training enabling them to communicate with their membership, implement training programs for the RTOs themselves in how to raise their standards.*

COMMENT:

See answers embedded in questions above

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?
- *This will be helpful but it depends on who the graduate expectations are aimed towards. Is this the graduate him or herself or the employer? This requires further consideration.*
 - 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?
 - *It will be helpful if terminology is further defined. There is a broad and often misunderstanding of how VET is delivered by Industry although many good RTOs engage with Industry in demystifying this process*

COMMENT:

See answers embedded in questions above

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?

- *Quality parameters must be included in Training Packages not just in national standards. For example, benchmark volume of learning durations for entry level qualifications need to be included as prescriptive methods of training delivery and assessment. Additional quality parameters include not allowing practical Units of Competency to be delivered and / or assessed online, determining what must be assessed in a workplace versus a simulated environment and so on. Coupled with these must be government funded programs that are not front loaded but dependent on the academic progress of the student.*
- 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?
- No
- 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?
 - *See above this should be in the domain of peak bodies together with the regulator and industry and only carried out on a risk based framework. That is, trusted RTOs need to continue to operate unencumbered with random checks and high risk RTOs / high risk cohort of students or qualifications need to be assessed at assessment-grade RTOs.*
- 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?
- *If the above measures are put in place then an iterative and gradual evolution for assessment needs to be put in place. By undertaking random assessments of students, this in turn will quickly highlight how big a problem the VET industry faces but at same time can quickly raise the standard across all genuine RTOs to negate the need for Training only RTOs versus Training and Assessment RTOs. If it is determined that the above measures are insufficient then separation between Assessment & Training versus Training only RTOs can be implemented.*

COMMENT:

See answers embedded in the questions above

12. Discussion questions – enforcement:

- How could the focus of regulation move to evaluating assessment outputs?
- *As discussed above, through a tri-partite arrangement of Industry, highly trusted assessing RTOs coordinated by peak bodies, and the Regulator.*
- 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?
- *Yes to both.*
- 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?
- *Yes as often the accelerated growth of an RTO is a risk indicator*
- 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?
- *Directors and senior management staff need to be blacklisted for a period of time from re-entering the industry. This will reduce the occurrence of repeat offenders.*
- 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?
- *The regulator must be empowered to act quickly and transparently. The current method has too many legal hurdles for the regulator to inform the industry and more importantly the prospective student in a timely manner.*

COMMENT:

See answers embedded in the questions above

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?
- *This needs to be managed on a case by case basis. To ensure public safety is maintained whilst not disadvantaging the graduate who may already be successfully employed. This must not takeaway the need to retrain the graduate but their employment should not automatically be placed at risk.*
- 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?

- Yes
- 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?
- *No. This should be evaluated on a case by case basis. Even though the student maybe meeting their current employers demand this does not ensure they have the fundamental training for future employment where greater skills maybe required*
- 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?
- *The RTO needs to carry the costs for reassessment and this needs to be pursued regardless of the RTO's financial viability. Without effective penalties such as cost recovery then why would a low quality RTO choose to change their practices.*
- Who should deliver the reassessment? Are there any circumstances in which it would be appropriate for the original RTO to undertake the reassessment?
- *Reassessments can be carried out by the network of highly trusted RTOs (assessment-grade) together with Industry and the regulator coordinated by a peak body. RTOs who have been grossly under assessing or fraudulently assessing their students (e.g. providing answers) must forfeit the right to re-assess the same student.*
- 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?
- *These requirements exist today and are clearly spelled out and regulated by Training Packages and ASQA's standards. See above in the tri partite model for reassessment*
- 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?
- *Yes for cancellation of qualifications in particular. A TAS maybe used for reassessments if the RTO is not financially capable in funding the reassessment of their students by an assessment grade RTO. Every effort should be made in recovering costs from the RTO, parent company, directors and so on.*
- Should membership be mandatory for all RTOs?
- Yes
- Who should operate such a fund, and who should bear the cost of its operation?
- *Industry peak bodies manage Tuition Assurance Schemes today. Members and reassessing RTOs need to carry this cost together with Government as the benefits for such a small investment by Government will save hundreds of millions dollars.*

- What linkages with income support eligibility should apply for graduates impacted by any recall of qualifications?
- *Unfortunately when public safety is involved, a recall of qualifications must take precedence no matter what the economic situation of the graduate is. Employment should be maintained but with lesser risk based duties placed on the Employee whilst their retraining takes place.*

COMMENT:

See answers embedded in the questions above