



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 Australian Childcare Alliance (ACA) as an Association of employers, represents around 36,000 of the early childhood workforce, therefore ACA has a vested interest in a robust, and professional VET sector that is able to provide a highly skilled workforce for the early childhood industry.

ACA believes that whilst there should be no restriction on the number of RTO's who are able to deliver TAE qualifications or skill sets, there should be a greater accountability for the quality and integrity of the training and assessment of the TAE qualifications.

Any restriction on the number of RTO's who are able to deliver the TAE qualification would seriously affect the ability for all RTO's across all industry qualifications, to recruit suitable trainers for their courses. In an employment market where there is already a short supply of quality trainers, reducing the number of RTO's who may provide TAE qualifications would produce unintended consequences of a depleted workforce of trainers. ACA believes that a rigorous compliance regime that increases RTO accountability and is bold enough to take action where RTO's are not performing to the level required, is the most effective approach.

ACA feels that there is merit in requiring trainers to gain their TAE qualifications from outside their own RTO. This would ensure a degree of integrity and possibly a more reliable outcome.

In this event however, consideration must be given to RTO's who deliver the TAE qualification, and in doing so, discover that certain students, who show a high degree of competency, would be a good 'fit' for their own organisation. It would be detrimental if they were unable to engage high quality trainers for their organisation by virtue of the fact that they had delivered their qualification.

ACA believes that TAE skills sets are extremely significant and that as learning evolves, qualifications and skill sets need to evolve also. In light of this, it is not appropriate for entire qualifications or skills sets to be achieved through an RPL process. Training packages evolve as does the thinking and research around teaching methodology, therefore working through the TAE qualification with limited RPL may improve the way a trainer interfaces with their students once they are a trainer and assessor.

ACA believes there would be significantly better quality outcomes if there were more rigors on the TAE student to undertake specified, practical training and assessment hours as integral to gaining a TAE qualification. Currently it is possible, through some RTO's, for a person to gain their Certificate 4 TAE over a weekend and Diplomas in 3-4 weeks without ever having to do any practical training or assessments in the field. This has led to trainers without the necessary skills being responsible for large groups of students and the inevitable poor outcomes for those students.

ACA does not believe that it should be a requirement for TAE trainers to hold a University degree or higher level of qualification. What is needed is a review of the TAE qualification with a mandated practicum and a higher degree of accountability for RTO's who deliver the TAE qualification and skill sets.

As stated, ACA strongly believe that a TAE Certificate IV and Diploma Qualifications must have a strong practical component.

ACA believes it would be difficult for an entrant into the TAE Diploma to demonstrate employment in the VET sector and to require this may seriously diminish the number of trainers seeking to gain a higher skill set.

However Industry currency in VET must be maintained over a period of time and for TAE trainers in child care, the Diploma would serve as a solid foundation.

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:

ACA supports the TAE Certificate IV being changed to a core unit of competency on the design and development of assessment tools. An understanding of the application of assessment tools and experience in the delivery, moderation and review of said same resources would be an imperative to ensure the development of effective assessment tools.

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:

ACA believes that a National Professional Association for Australia's VET system may be beneficial to the professional ethics and standards of VET practitioners. Once a trainer has attained their Certificate IV or Diploma TAE, there is little support and networking opportunities for them to foster their professional growth and learning in a collegiate organisation. In South Australia in 2010 the state Department (DFEEST) hosted and funded a program titled Capability Builders – Assessment Program for VET practitioners. This was run over a 9 month period. This program fostered and mentored a group of VET trainers through a networking program that enabled high level dialogue with very skilled and competent trainers. The program resulted in a group of Advance Skilled VET Practitioners who then went on to mentor others. It was highly successful in assisting VET trainers to evolve professional and aspire to higher order thinking.

ACA believes that there is clearly a role for Australian Governments to assist in the development and funding of a professional association. The current fiscal climate has seen a great deal of tightening of funds to the VET sector which has meant that there has been no investment in ensuring a vibrant highly professional VET workforce.

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:

ACA believes that a national professional association for Vet practitioners could develop a common vision and promote the VET profession through a strong united program of professional development and networking.

It would be an excellent conduit for dialogue between industry and VET trainers and may enable a more focused and synergetic approach to VET. Currently there is a degree of tension between how the VET sector (trainers) delivers their courses and expectations of industry. Expectations of the industry are to engage a person with a qualification and expect that they will have all of the necessary skills to complete their role effectively. Graduates who have not experienced sufficient and meaningful work experience often find their role as an educator daunting as practical knowledge cannot replace hands on experience.

ACA believes that a national professional organisation would provide consistency and strength for the VET sector. It would provide the scaffolding for higher order thinking and better outcomes for trainers, industry and students. It could mandate a nominated number of hours of ongoing professional development over a 3 year period in order to maintain registration thus raising the professionalism and currency of the VET workforce.

ACA is aware that some VET trainers who have had a qualification for 15 years may have done limited professional development therefore have not evolved their approach to keep up with current thinking around training and assessment.

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:

ACA feel there is merit in model B. Model B would enable an entirely new national association that would not be hampered by existing 'politics' or constraints of a range of organisations whose purpose may not be that of the interest of VET trainers but more ancillary interests. It would not be appropriate to align with state and territory school teacher registration bodies.

VET teacher and trainer membership should not be mandatory.

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:

It is ACA's view that a capability framework would enhance the quality of assessment. This has been borne out by the Business Skills Australia VET Practitioner Capability Framework that was piloted in jurisdictions across Australia in 2010. The pilot was highly successful and provided scaffolding for higher order networking and thinking of the VET practitioners who participated and also enabled a more collegiate approach to their maintaining their ongoing professional status.

This could be successfully integrated into the functions of a professional VET trainers association and would provide the impetus for VET practitioners to engage with the association as a professional body of choice.

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:

ACA suggests that there is a strong case for expanding the use of independent validation of sample assessment methods for high risk qualifications and in particular for the early childhood sector. Any measure to enforce this must be weighed against the administrative burden that it will place upon RTO's and industry and must have minimal cost impost.

ACA believes that any additional burden placed upon employers would be unrealistic. Employers are already struggling under increased regulatory and administrative burden and their primary focus is ensuring their business is viable. Engaging industry in independent validation of assessment methods on a broad scale would be unrealistic.

ACA does not believe that externally administered tests for VET graduates is the approach that should be taken. It would be costly and difficult to administer and would not take into consideration the learning style of the individual student and has the potential to place unnecessary pressure on the student thus giving a false outcome. It would be a 'one size fits all' approach which is contrary to everything we believe in our particular industry.

ACA acknowledges that there may be situations where an externally administered, industry endorsed test would be beneficial for example as a validation tool for a quality control sample.

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:

It is the view of ACA that industry does have a role in validation of assessment however in stating this ACA believes it would be necessary to ensure that 'industry' needs to be defined.

AS a large employer group, ACA would welcome the opportunity to be part of the discussion around validation of assessment by industry.

ACA believes that building industry capability regarding involvement with training and assessment is an imperative to ensure that industry input was meaningful and not tokenistic.

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:

ACA has concerns for any model of validation that will create another expensive bureaucracy and add another layer of administrative burden on RTO's. With diminishing funding of qualifications, ACA is seeing existing RTO's reducing scope of qualifications, closing and struggling to remain viable. Whilst it is important to ensure integrity of qualifications, and quality RTO's, placing layer upon layer of compliance on RTO's in order to capture those who are not performing, is not the way to move forward. It will only succeed in destabilising the VET sector further and forcing good RTO's to close. ACA believes that ASQA has the mandate to deal with non performing RTO's but has in the past been reluctant to act. ASQA must take bold action under its mandate to eliminate underperforming RTO's and revoking fraudulent qualifications. Independent assessment of samples of student could be randomly undertaken with RTO's that have high levels of noncompliance and if deemed necessary from the outcome of sample, whole cohorts should be able to be re assessed.

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:

ACA agrees that in some instances satisfaction with VET Graduates is due to mismatch between industry expectation and the outcomes in the training package.

In the early childhood sector there is a belief among some employers that a new Diploma graduate should be able to manage a whole staff team or in some instances a whole service and be responsible for duties beyond their qualification and skill level. The same may be said of the certificate III level qualification where some employers clearly misunderstand the level of responsibility for documenting children’s learning and programming and in many instances expect certificate III graduates to be undertaking full programming responsibilities for a whole room. There needs to be an investment in an education of employers about VET graduate expectations for each training package. ACA suggests that this should also include a best practice guide for employers on their role in mentoring and coaching new graduates into the workforce during their work placement and upon actual employment.

ACA does not believe that there is a common understanding across industry of the VET systems outcomes.

ACA believes that there is role for employer associations and VET practitioners to collaborate and assist with the development of these resources however; the Government needs to provide the resources to enable this to happen effectively.

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:

ACA believes that ASQA has the ability to ask for evidence of samples of an RTO's completed assessment of a student but has been reluctant or under resourced to do so. Requiring RTO's to retain all assessments samples would ensure ongoing accountability and should the situation arise that an RTO has been flagged as being of concern, it would enable ASQA to audit an RTO's completed assessments of any student.

ACA agrees that there needs to be a balance between the cost of regulation and compliance. It is ACA's strong belief that imposing layer upon layer of compliance requirements in order to 'catch' those minority RTO's who are under performing, is not a sound solution. It will increase the cost of delivering a qualification to the point where it is simply not affordable or accessible to students and threaten the viability of sound RTO's who are already investing considerably in ensuring the outcomes for their students are high quality. The solution must be embedded in a risk based approach to auditing RTO's who have been flagged as being of concern, combined with a systematic approach to ensuring all RTO's are audited for compliance over a set period.

ACA does not believe that devolving the regulatory responsibility from ASQA by increasing the layers of complex systems to RTO's will result in better outcomes.

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:

ACA is in full accord with ASQA having effective tools including financial resourcing to manage RTO's who have been flagged as having assessment issues and to be able to deal with them quickly and effectively.

ASQA should have the ability to impose conditions on an RTO's registration if deemed necessary or be able to suspend or cancel an RTO's registration as appropriate. ACA acknowledges that some RTO's may for various reasons for not performing to the required level expected under Standards for RTO's and will quickly rectify this once identified. However, for those RTO's who are identified as continually trying to "game" the system, a more targeted audit of assessments by an independent external body may assist ASQA to hasten the process of deregulation of the RTO. ACA believes that this would be in the best interest of the student and our industry and greatly raise confidence in the integrity of the VET industry.

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:

ACA represents employers and providers of early childhood education and care. The very nature of the industry evolves around very young and as such, vulnerable children who are reliant on the competency and skills of their educators. ACA does not think under any circumstance that a person who has gained a qualification, but whose assessment has been deemed inadequate, should be able to maintain the qualification and continue to work in the industry just because they may be reliant on that qualification for employment. In this case the first action to be taken should be a reassessment of the student. Should the evidence show that the student does not have the required knowledge or skills for that qualification, their qualification must be revoked. In our Industry we are dealing with the most vulnerable people in our community – Children.

ACA would like to see a risk approach system of sample audit of qualifications with a focus on those RTO's who have been identified as poor practitioners and of reported suspected fraudulent qualifications by employers or other parties.

ACA would support a scheme for re assessment of a student under specific circumstances such as incompetent RTO, however if there is suspected fraud, the qualification should be revoked and the RTO charged for any costs involved in the process.

There has been a range of questionable RTO's across Australia who have supplied groups of people with early childhood qualifications who have had very little training provided and very basic, or at times, no assessments undertaken. Until recently, when reported to ASQA, no action has been taken to ensure their qualification is audited and if found not valid the student reassessed or the qualification revoked so that they do not work with children. There have examples where students, as part of their qualification, have been found to have fraudulent certificates for first aid yet still provide care in a situation where they are the only carer (family day care). Families believe their children are under the care of a person who can administer first aid should the occasion require, however, in actual fact the person has no skills to do so. This could cost a child their life. Any income support scheme set up will drive up the cost of a student gaining a qualification thus creating even more of a barrier to people trying to gain a qualification to enter or remain in the workforce.

It may not be the fault of the student who has gained the qualification that they are not competent yet have been signed off as competent without further tuition and assistance from the RTO. Our members have reported that they have interviewed and in some instances employed educators with a qualification who are unable to do any of the required paperwork and/or are considered unsafe in their supervisory practices.

ACA believes that a tuition assurance fund would drive up the cost of delivering a qualification through the VET sector. Any cost to already struggling RTO's would need to be passed on directly to the student. In a climate of diminishing Government funding for training, it would be questionable to add yet another layer of red tape and financial burden on all RTO's. It would more appropriate for ASQA to act to stop fraudulent qualifications and suspect RTO's rather than take punitive action against everyone.