



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

Summary Comments on the Discussion Paper

The discussion paper contains a raft of individual measures that could 'respond' to the concerns with the quality of assessment but are not, in isolation, going to address the fundamental concerns.

The overriding feedback from ACPET members is that the focus should be 'getting the basics right' - ensuring that the TAE qualifications are sound, that there are good resources to support trainers and assessors and that appropriate industry advice is incorporated into their design.

Where there is a need for additional measures, they need to be utilised only where clearly indicated based on a rational assessment. ACPET proposes a risk management framework should guide these interventions.

Finally, there is a need to give the regulators the powers they need to ensure that quality providers only are undertaking training and assessment activities.

ACPET does not believe there should be artificial caps on the number of RTOs delivering TAE qualifications. Of itself, this will not improve quality but may lead to restricted market access and the ability to respond to the diverse needs of industry and students. The preferred course would be to ensure integrity of the qualifications and that quality providers only are approved to deliver TAE qualifications.

The concern with RTOs issuing TAE qualifications to their own staff is understandable. Quality providers, however, recognise the critical importance of their trainers and reflect that in the TAE training provided to their own staff. TAE undertaken 'in house' can also form part of the broader, integrated skills and professional development needs assessment.

If there are specific concerns the regulators need to have the authority to impose appropriate sanctions and rectification measures.

ACPET supports the role of RPL in a competency-based system, including for TAE. It needs to be available, for example, for those who have worked under supervision and where trainers need to upgrade skills as a result of training package changes.

TAE qualifications should be delivered by experienced practitioners who have a sufficient training and/or assessment experience, particularly for those delivering the Diploma. Some minimum period of employment may be a convenient proxy.

ACPET does not believe there is a need to lift the level of qualifications of those delivering the TAE qualifications. The impact of arrangements to come into place through the RTO standards from 1 January 2017 (and outcomes of the revision of the TAE Training Package) should be better understood before further amendments are proposed to minimum qualification requirements. ACPET is also mindful of the practical impacts that such an 'across the board' shift would have on many providers.

Advice from ACPET members indicates strong support for TAE qualifications to include a practical component, with appropriate supervision. While the Diploma has some significant requirements similar arrangements should be included in the Certificate IV.

Relevant employment history in the VET industry should be a pre-requisite for TAE Diploma entrants. This should be 400 hours.

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:

Assessment tools not meeting the requirement of the training package is one of the top five ASQA non-compliances, with 80% of RTOs non-compliant on this standard. Clearly there needs to be greater understanding of the design and development of assessment tools.

While it is acknowledged there is a range of 'off-the-shelf' resources available to support trainers and assessors, there is a view that a sound understanding of the design and development of tools would enhance teaching practice. It is also recognised that many 'off-the-shelf' products require some customisation to meet the needs of the RTO, industry and students.

Access to this expertise should be required, either through appropriate staff holding the Diploma or TAEASS502B unit, or external expertise.

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:

ACPET supports the establishment of a VET professional association, focused on identifying the skills priorities of practitioners. It should not, however, be seen as a solution to the concerns with the quality of assessment.

Australian governments should assist the establishment of an association given their significant investment in the sector.

The barriers to establishing an association include engaging those practitioners who may not be highly connected through the nature of their employment (contract/casual). It would be important that an association responds to the needs of these practitioners and not just focus on more ‘traditional’ practitioners.

It is also important that an association does not seek to duplicate or regulate existing activities as this will simply dilute the focus on its core responsibilities. A significant number of organisations like ACPET, as well as RTOs themselves, develop and provide significant PD and other activities that support practitioners. It is important there is a variety of PD offerings available to respond to the needs of providers and their practitioners.

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:

A voluntary professional association could:

- take forward the existing work on capability frameworks
- identify priorities for professional development
- bring a respected practitioner voice in relation to policy and practice
- promote and recognise high standards of practice through initiatives such as peer review and communities of practice

The advantages of a single association are that it would be better placed, and resourced, to bring together and co-ordinate the range of activities that align with its core responsibilities.

There have been a number of initiatives to develop a national professional association. The recent work led by TAFE Queensland, that involved a broad range of stakeholders, may assist in taking this proposal forward.

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:

A single association model that performs the functions outlined above is supported. ACPET does not support a body that accredits other professional bodies – that would risk an overly bureaucratic arrangement that diverts attention from its ‘core business’.

The value of an association would be in identifying skill priorities of practitioners. It will not, however, provide a short-term solution to improving the quality of assessment.

If the value proposition exists, its core activities should be sustained by practitioner member contributions. As noted above, there is a role for governments to support its establishment.

If it is to be a professional association, that does not include a registration function, membership should be voluntary.

ACPET notes some support for compulsory membership but believes the initial focus should be on establishing the association along the lines outlined.

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:

There are a number of frameworks that have been developed that can serve a range of purposes including recruitment, PD, identifying and building the skills of teaching teams and broader workforce development.

There does appear to be commonality across a number of these frameworks that could provide a foundation for future efforts of a professional association. An important role for an association could be to understand what has worked/not worked with existing frameworks and build on good aspects.

The intersect with the RTO standards also needs to be taken into consideration in the development and use of capability frameworks.

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:

Industry has an important role in ensuring training packages are appropriate and that training and assessment strategies reflect industry currency. There is strong support for industry retaining these important 'up front' functions that help inform and guide quality assessments. Member feedback strongly supports a focus on getting assessment approaches and tools right rather than trying to 'sort out the mess afterwards'.

As noted in the paper, and reinforced strongly by ACPET members, there remains a significant on-going challenge in engaging industry in these validation and assessment activities due to time, knowledge and other constraints. Responding to the diversity of industry views and expectations remains a significant challenge for all stakeholder in the VET sector.

Independent validation and external assessments, can play a role in supporting industry (and community) confidence in the qualifications issued by the sector, however, there needs to be some consistent framework that guides such approaches.

ACPET supports the use of a risk-management framework to determine the use of independent validation, external assessments or other interventions and requirements. A risk management framework would take into consideration the range of industry, qualification, provider and student cohort risks/considerations which could then be matched to a number of strategies based on the assessed risk. There cannot be 'a one size fits all' that simply adds unnecessary bureaucracy and costs to the sector, industry and students.

Any external tests should reflect the competency-based fundamentals of the VET sector and avoid the risk of 'teaching to the test'. Any such testing should be structured to identify and support improvement in training and assessment practices.

Education and training bodies with strong links to industry could assist in facilitating external tests. Using existing regulators would seem contrary to a key intent of such tests - to assure industry confidence.

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:

As noted above there are significant limitations in drawing on industry to assist in the validation of assessment. The priority for industry engagement should be in the 'up front' shaping of training packages, qualifications and assessment strategies, along with feedback on the competence of graduates.

Advice from members indicates, beyond some industry experts who have deep engagement with the VET sector, there is a lack of understanding of, and interest in, assessment requirements and widely divergent expectations amongst business and industry.

Education and training industry organisations, like ACPET, have access to the specialist industry and VET expertise required to validate assessments or undertake external assessments. Such activities would complement existing similar services provided to members. If there is to be a greater focus on building industry capability and capacity, it should be in relation to training package and qualification development.

As noted above, the engagement of industry should be utilised where it is warranted on an objective consideration of relevant factors.

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:

As noted above there needs to be a consistent structured framework to ‘trigger’ the use of independent validation or other strategies to improve or validate assessment. The factors that might inform or trigger these strategies would include a range of industry, qualification, occupation, student cohort and provider performance matters.

External assessment can play a role in increasing industry confidence particularly where there are significant identified risks. The electrical industry, for example, already features external assessment in a number of jurisdictions. As noted previously, it should form an element of a risk management framework that guides interventions.

ACPET does not support re-assessments of whole student cohorts. It is hard to understand on what basis such an approach could be justified. Consideration of such an approach would signal a more fundamental problem with the training package qualifications.

Given the logistical, cost and other impacts, re-assessments should be triggered by identified shortcomings arising from audit or other identified specific concerns. In which case, if the concerns are validated, these costs should be borne by providers.

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:

This should be addressed, to the extent warranted, through the training packages.

The new industry engagement arrangements could provide the impetus for the consideration of additional/complementary resources that could be used to assist business and industry understanding of training packages and expected outcomes.

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:

Increasing the requirements for the retention of records will do little to improve assessment practices. It will, however, add to the administrative burden on providers.

As noted earlier, the focus needs to be on the ensuring the quality and validity of assessment strategies and tools as they are developed. The development of 'model' tools as an adjunct to the training package development and review process may assist, as would lifting access to expertise in the design and development of assessment tools.

There are some concerns that the regulators have the vocational competence or industry currency to make determinations on validity of assessment outputs.

If this approach is pursued, then it could sit with the industry bodies that should conduct any external assessments.

Introducing training only RTOs will add to the complexity of the VET sector, particularly for students and industry.

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:

As noted previously, a risk management approach that includes regulatory considerations should guide measures to lift the quality of assessment.

The regulator should be able to employ a range of appropriate interventions that are commensurate with the inadequacies identified and the assessed risks.

Greater use of enforceable undertakings would complement this approach.

A concern expressed by ACPET members is that the regulators appear too slow to act and seemingly are hamstrung by prolonged review and appeal processes. These concerns, together with a view that the review process can be 'gamed', risks the confidence of the sector in the regulatory frameworks.

Whilst recognising the need for procedural fairness, there needs to be a review of the existing processes to better ensure that timely action can be taken to sanction or remove poor performing RTOs.

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:

Judgements about the use of re-assessments and cancellation of qualifications cannot be made on the basis of some generic comparison of past activity. The use of these interventions should be undertaken on a case-by-case assessment of their appropriateness and, for most cases, form part of a graduated regulatory intervention.

Similarly, judgements about the qualifications or experience of those undertaking these activities need to be made on the basis of an assessment of each situation. Simplistic 'blanket rules' are not appropriate.

A tuition assurance scheme should not be established to support reassessments and cancellation of qualifications. This is the responsibility of the original provider.