



## 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](mailto: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:

Much of the tone in the questions being asked in this discussion paper appears to concern the ethics of an RTO - to adhere to the RTO standards - and the capacity of the regulator to do its job. Departing from either of these two things in general sets up the requirement for many of the propositions put forward. Our response assumes ethical conduct from an RTO and sufficient governance by the Regulator.

Restricting the number of RTOs that are allowed to deliver/assess TAE qualifications based on a perception of 'high quality' should be a circumstance that arises naturally through the current practices of the Regulator and adherence to the RTO Standards. If there are concerns with the number of RTOs then regulatory practices could change such that RTOs delivering/assessing TAE are audited more often on TAE training products.

There is an argument that supports RTO's not issuing any qualifications to its own staff (TAE or otherwise) as it provides professional 'distance' between the RTO and the staff member and avoids

to a large degree any perceived conflict of interest that otherwise might arise. The issue in taking this approach is again one of ethics concerning the RTO. If the RTO has in place and follows a principled and rigorous process then the award that is issued to its own staff, TAE or otherwise, is valid.

RPL is a legitimate assessment pathway for all learners. If the pathway is called into question for TAE qualifications then surely it should be called into question more broadly. The validity of the assessment outcome is dependent on the inputs to a rigorous process that meets the rules of evidence. Any RTO should be able to defend its assessment decisions based on this regardless of the qualification being assessed.

AIM agrees that TAE qualifications should be delivered by people that have a proven track record in training/assessing. Some training packages have sought to put time frames on experience requirements. Some suggestions to ensure this:

- Introduce the notion of professional supervision in both training and assessing such that people looking to deliver/assess TAE are required to meet threshold standards of supervised hours. This also addresses the question of a practical component
- Introduce a mandatory continuing professional development (CPD) regime to ensure TAE trainer/assessors maintain professional practice in all aspects of the TAE qualification

AIM doesn't believe entrants to the TAE Diploma need to demonstrate an employment history in the VET Industry as this would not improve assessment practice. Assessment practice will be improved through the experience of practitioners operating in the Cert IV space and receiving consistent feedback of their practise. (refer to previous comments on professional supervision and CPD)

## 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:

An important part of equipping business with training/assessment skills for the workforce is educating business to understand what their needs are and which TAE solution best suits their needs. The Cert IV TAE is rightfully seen as the training/assessing benchmark and many people are enrolled by their employer in the full qualification when in fact they only wish to access part of it – the assessor skill set or the trainer skill set or in fact none of it as their staff will only be delivering non-accredited training. Often these decisions are linked to funding rules and there can be a mismatch with what the workplace needs and what they can gain funding for.

There is merit in seeking to have a unit on the design and development of assessment tools as a core component in both the assessor skills sets and the Cert IV as understanding how assessment tools are constructed and the inputs to their development will lead to a fuller understanding of the learning and assessment process and more discernment from assessors on whether the assessment tools they are using are fit for purpose. AIM is unsure if this design and development component needs to be a unit of competency in its own right or whether additional elements that deal with this aspect of assessment could or should be included in the assessment planning unit TAEASS401B

If we assume that the consultation process for making updates to TAE in the future will continue as it has done with the former Industry Skills Council then AIM has no issue with the process as long as there is transparency on what is being proposed and by whom. VET professionals have always had the opportunity to be heard as individuals or representatives of a larger group.



### 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:**

There is merit in establishing a national professional association that represents VET practitioners if the purpose is to establish benchmarks of professional practice and a regime for members to maintain those benchmarks. This would assist RTOs and Regulators in addressing professional development of practitioners and the auditing of the same. The bulk of AIM's trainer/assessors are independent contractors many of whom are required to comply with the profession development requirements of several RTO's that they may work for. This can be unnecessarily burdensome.

Government should have a role/voice in how the body is to be constituted and funded and an ongoing governance role.

Thought needs to be given about the limits of such a body in terms of the services it provides. There are many existing organisations that provide a range of PD activities and advocacy for VET practitioners. Would the establishment of a national professional association compete in this domain or be an adjunct as a repository for recording PD activity and a register of VET professionals?

#### 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:**

See response to Question 3

#### 5. Discussion questions – models for a VET professional association:

- Which of the suggested models for a VET professional association would be considered most preferable and viable in the current VET environment? Model A,B or C?
- What value would a VET professional association, or associations, add to the VET sector?
- What mechanism would sustain a professional association, for example, membership fees from individuals or RTOs?
- Should VET teacher and trainer membership with a professional association be mandatory or voluntary?

**COMMENT:**

No comment

## 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:**

The VET Practitioner Capability Framework Tool developed by IBSA is a useful tool for individuals and RTO's to assess core capabilities. This tool and/or other could be used by a national professional association to assist in self audits leading to options for ongoing professional development.

## 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:

Increasing industry in the engagement and conduct of assessment will be easier for some RTOs than others. RTO's that assess against an industry standard and/or have their assessment directly related to a workplace or a business under the scrutiny of that business or workplace will have no issue in demonstrating industry engagement. RTOs that enrol their students through public courses or through online courses will have more difficulty in demonstrating industry engagement and possibly industry will be more reluctant to get involved if they only have a peripheral association with the RTO.

There may be a role for Skilled Service Organisations (SSO) to assist in making industry aware of the range of assessments being conducted in industry's name and in working with industry to validate a sample of such assessment tools which will in turn give industry greater confidence in the assessment outcomes.

The notion of having someone complete an additional 'test' after they have been deemed competent is devaluing the assessment the student has already undertaken. Either the assessment has collected sufficient evidence to deem someone competent using a rigorous assessment process or it hasn't. If industry is dissatisfied with the assessment judgements being made by RTOs then this shows either a lack of oversight by the Regulator on the assessment practices of the RTO or the assessment criteria needs review to be more in tune with the needs of industry.



## 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:**

See previous comments.

It is impractical and costly for industry to be involved in validation of assessment tools particularly if the link to industry is through public training and if the expectation is that each assessment tool needs industry validation. AIM doesn't believe industry lacks the VET skills and knowledge to be part of validating assessment – it is more a question of what will motivate industry to get involved.

The SSOs and Industry Reference Committees (IRCs) have a joint responsibility to ensure there is sufficient industry input into the development of competency standards. Perhaps these bodies jointly need to determine the expectations of industry around the validation of assessment and how RTOs may be expected to liaise with them on this matter. Once this mechanism is established RTOs would then have an avenue to go down to engage with industry in validating their assessments.

## 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:**

All the points mentioned above relate to the capacity of industry to get involved and will have time and financial costs associated with them.

It is not uncommon for many industries or workplaces to institute their own verification of competency approach (such as through challenge tests) particularly when it comes to higher risk activities. AIM believes this practice should continue and that industry should decide when and how this takes place.

There is a gap in how feedback on the suitability of people exiting the assessment process makes its way from industry back to the RTO in order to improve assessment practice. RTO's would in most cases not be resourced to undertake the gathering of this data and as mentioned previously - what would be the motivation of industry to proactively contact RTOs and provide this feedback? Independent reassessment through industry even of a sample of students would be onerous and costly to administer and would need to be resourced. This may be something that falls to SSOs/IRCs to manage.

## 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:**

As alluded to previously the structure and mechanisms for industry to comment on graduate expectations exists through the SSO and IRC. These forums should be used to ensure industry is capturing its expectations and that these are translated meaningfully into the competency standards and the assessment conditions. These bodies also have a joint responsibility in ensuring common understanding of terms and how they are communicated through training packages and training products.

## 11. Discussion questions – evidence of assessment and graduate competency:

Should the Standards for RTOs be revised to include strengthened and more specific rules around the conduct of and evidence to support assessment? Which elements that have a clear link to quality of student outcomes need to be strengthened?

- Would a more prescriptive condition of registration, such as a requirement for RTOs to retain all assessment samples for a longer period, improve the quality of assessment?
- How could the focus of regulation move to evaluating assessment outputs, such as samples of students' assessment pieces, without incurring excessive costs or imposing excessive burden on RTOs?
  - Is ASQA the appropriate regulator to oversee this function, or are there better placed agencies such as firms that specialise in assessing students?
- Are there other mechanisms that you would like to see added to the regulatory framework to prevent poor assessment? For example, should training-only RTOs be recognised as a formal part of the regulatory framework?

### **COMMENT:**

The RTO Standards are sufficient as they currently stand in providing a framework for sound assessment practice to be achieved.

Retaining assessment evidence for a longer period may provide an auditor with more insight into how the quality of assessment may have changed over time for a particular RTO however the benefits would be limited.

The question of assessing assessment outputs goes back to Question 10 - what are the expectations of industry, how are they established and how do they ultimately inform training products? Could industry be involved in some sort of sampling specifically on the suitability of graduates that then feeds into SSO and IRC discussions.

## 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 mentioned elsewhere the resourcing of the Regulator is fundamental to addressing many of the issues being proposed in this discussion paper. The regulation of assessment outputs could/should be part of the auditing regime however this alone will not address the suitability of graduates for industry. Refer to the comments in Question 11 about involving industry in sampling the suitability of graduates to feed into SSO/IRC discussions and then into the refinement of training products.

If RTO's have a history of non-compliant assessment practice then the Regulator should have the power to require the RTO to cease assessment/delivery of the training products under question until it can demonstrate and continue to demonstrate sound assessment practice.

### 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:**

AIM is unsure how to respond as we are not sure how frequently the power to cancel qualifications has been exercised previously. AIM agrees that with higher risk qualifications particularly around safety that if the Regulator has sufficient evidence then qualifications should be cancelled. AIM is unsure of where this leaves the student and how they are to be compensated both financially and in terms of time and any impact to their employment. The existing tuition assurance scheme could be reviewed to include protection of students in such cases without the need for an additional scheme.