Australian Government

Department of Education and Training

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:

    Dorothy Morrison

3. Organisation (if applicable):

    Batchelor Institute of Indigenous Tertiary Education

4. Please indicate your interest in this discussion paper:

    RTO

    (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 position of our organisation is that the number of RTOs delivering the TAE is determined by the demand for the qualification. We do not want to see the number of RTOs restricted because smaller, niche market programs such as ours could then be marginalised.

For Batchelor, as a First Nations RTO, we are particularly concerned that we do not lose the ability to deliver quality programs for Aboriginal and Torres Strait Islander people, and for those working with Aboriginal and Torres Strait Islander students in VET.

It is also our position that the issue of ensuring high quality delivery and RPL can be addressed through existing quality regulatory mechanisms. This is the same case for RTOs delivering the TAE in-house.

There is an opportunity to improve the assessment skills of the VET workforce and that is through creating a supported workforce that has more time and energy to engage in quality training and assessment rather than to be so focused on compliant record keeping that assessment suffers. A review of the current compliance systems and a shift to reducing the overburdened bureaucratic systems of VET would benefit the entire industry.

One idea to improve the assessment skills of the VET workforce could be through the development of national resources to support the delivery and assessment of the TAE qualifications and skill sets. This would then create the opportunity for a wider validation process around assessment decision making, thus working to strengthen the system rather than further burdening it with even more regulation.

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:

Our position is that it would be beneficial to have a core unit on the design and development of assessment tools. This would improve the assessment outcomes for students because the assessment tools would potentially be of a higher standard. The unit from the Diploma would be appropriate to use for this purpose.

Again, our proposal to set the delivery and assessment approaches and resources for the TAE would create the mechanism to ensure consistency of skills and knowledge application within the course, and enhance assessment judgements.

Again, the concern about using 'key stakeholders' authority over changes to the TAE is one of who decides who these key stakeholders are and that expedience and costs would outweigh the need to ensure equity.

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:

We agree that a national association would benefit our workforce and the industry and that it would be an appropriate investment of government funding. We are concerned about the use of 'professional' in that many members are trades people with certificate qualifications and do not fit the usual use of the term 'profession'.

Barriers to establishing the association would be funding and ensuring an equity of access. Creating transparent systems and making best use of technologies would help to overcome these.

The most useful guiding purpose of a national association would be to create a higher profile of VET practitioners, giving them status as recognised educators and a common voice with which to guide the VET sector.

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:

The association could undertake activities both nationally and regionally, meeting the wider needs of the profession as well as the more local. It could provide a voice for members and influence policy and decision making.

More specifically we see that the association could provide a leading provide professional development, updates, conferences, a voice of the sector and recognition, including:

- supporting workforce development through professional learning
- Act as a clearing house for updates from the sector
- Provide advice to RTOs on their programs
- Provide a national identity for the VET workforce

As an organisation we have been very impressed with the services provided by VELG and would recommend that they are approached to fulfil this role as they have been for quite some time.

The have the existing infrastructure and capacity to fulfil this role well.

- Which of the suggested models for a VET professional association would be considered most preferrable and viable in the current VET environment? Model A,B or C?

- What value would a VET professional association, or associations, add to the VET sector?

- What mechanism would sustain a professional association, for example, membership fees from individuals or RTOs?

- Should VET teacher and trainer membership with a professional association be mandatory or voluntary?

COMMENT:

Model B would be our suggested model for a VET association because:

- It would be cost effective
- It would allow for a national recognition process to be implemented.

A VET association, such as this, could be supported through membership fees from individuals or RTOs but would require an investment from Government funding.

Voluntary membership would be appropriate if the association was about creating a national identity and supporting professional development. However, if there is an intention to create a practitioner registration facility, then membership will be compulsory. We would support a national register for VET practitioners. This would support all RTOs in their employment practices.

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:

Our organisation has made strong use of the VET Practitioner Capability Framework developed by IBSA. We have developed role profiles, performance management and performance development systems, all done with recourse to our status as a First Nations Institution and our both-ways practices which privilege Aboriginal and Torres Strait Islander knowledges and peoples. This has generated a new discourse within the Institute and we are now shifting to implement the new approaches. Our ongoing evaluation practices and our review of our internally developed documentation will provide interesting feedback on the framework.

It would be interesting for NCVER to do some research in this space and to share case studies with other like RTOs. We would be happy to participate.

- 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:

Formal assessment validation processes are an important component of assuring quality in assessment. However, we find that our engagement with industry is much deeper than that and it is the strength of our communication and collaborations with industry that create the strongest impact. It is the ongoing dialogue with industry that creates a conduit for feedback on the competency of students, particularly those in our workforce development programs.

We do not support externally administered testing – it is our experience that nationally developed mechanisms meet the needs of the majority – the urban-based, English as a first language student. Most of our students do not have English as their First Language and do not live in an urban context. Many are socioeconomically disadvantaged and have come through an education system that has not given them a positive experience of themselves as learners. To impose a test on these students would simply create a further barrier to them participating in the workforce.

We do agree that there may be a place for stronger regulation of competency such as in Health, but note that in those industries there are existing professional mechanisms in place to ensure competency. Adding another layer to this through testing would create an unnecessary barrier.

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 an organisation with strong industry connections we value the validation process that brings industry partners to the table. For these purposes we engage with our actual industry partners who are part of the employment pathways for our students. This helps to ensure that students are engaging in quality assessments that are targeted to the specific industry partners and employers.

It is our position that when RTOs work closely with industry to match training to industry expectations, that stronger connections are established and it is through this relationship that Industry partners gain a better understanding of competency-based training and assessment.

While training packages currently are constructed as a set of standards against which the student is assessed, there may be benefit in articulating this in a specific, plain English way for employers, outside of the technical language prescribed in training packages.

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:

Where an RTO is struggling to meet compliancy requirements, it would be beneficial for there to be a support mechanism that sits alongside the regulatory functions. Should this not result in improved practice then there are existing mechanisms to respond to this.

Where there is an identified concern in high risk industries then a reassessment process may be a useful mechanism. However, the need for this should be something that is identified through a very rigorous process, and not a media campaign.

Using a like RTO to do the reassessment would be the most appropriate mechanism for such a process.

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:

There a role for the 'Professional Association' to develop resources outlining VET graduate expectations for particular training products.

There is no need to further interrogate the terminology of the sector – there is an existing common understanding that is introduced to new practitioners through the Cert IV TAE.

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

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

- Would a more prescriptive condition of registration, such as a requirement for RTOs to retain all assessment samples for a longer period, improve the quality of assessment?

- How could the focus of regulation move to evaluating assessment outputs, such as samples of students' assessment pieces, without incurring excessive costs or imposing excessive burden on RTOs?

  – Is ASQA the appropriate regulator to oversee this function, or are there better placed agencies such as firms that specialise in assessing students?

- Are there other mechanisms that you would like to see added to the regulatory framework to prevent poor assessment? For example, should training-only RTOs be recognised as a formal part of the regulatory framework?

COMMENT:

The Standards for RTOs should not be revised. We do not see a need for more regulation. What we need is to create better support systems for RTOs. By providing professional development and guidance to RTOs, we can strengthen the link to quality of student outcomes. A 'Professional Association' could take on this role.

There is no need for a more prescriptive condition of registration, such as a requirement for RTOs to retain all assessment samples for a longer period. The current practice is sufficient.

The supportive role of a VET association would avoid the issuing of further regulation and assist RTOs to improve their assessment processes. Less regulation will give RTO more time for engaging in continuous improvement practices that will have a flow on effect on the quality of assessment.

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:

We have some concern over introducing any further regulatory practices. We are in an era of over-regulation and this is creating a continuous cycle of audit rather than one of continuous practice.

Currently, we find that on balance, auditors are identifying non-compliance on detail rather than on balance and this in itself then places a further burden on the organisation and impacts on quality.

An adjustment to the risk rating system and the creation of a more streamlined audit approach would help the industry. Where a significant risk is identified, then we have existing mechanisms to address this.

What we do appreciate the most through audit is the feedback given by auditors. It is the dialogue with the auditors that generates the most improvements in our practice.

- 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:

At the moment, we are delivering qualifications that have national portability. Also, as an RTO, we ensure our staff have currency in their industries and are also regulated by their own industries, for example, health and construction.

RTOs must adhere to regulation and incorporate feedback given by regulators. If they continue to continually breach parameters, ASQA should have the power to cancel their registration as an RTO but to cancel the qualifications of a student places an unnecessary burden on the student.

Employers' confidence in the system is based on the expectation that someone holding a nationally recognised qualification has been rigorously assessed against the requirements of an industry-driven training package by a trainer/assessor with updated skills and knowledge in a specific industry. In some industry areas, such as the ones mentioned above, the possibility that an improperly-assessed graduate may not have the competencies required, will pose significant and unacceptable public

safety risks. In such a situation it would be preferable for the student to be re-enrolled with another provider and undertake gap training at the expense of the initial RTO.