

February 29<sup>th</sup> 2016

To which ever person is the Minister of Vocation Education and Skills this week,

**RE : RESPONSE TO QUALITY OF ASSESSMENT IN VOCATIONAL EDUCATION AND TRAINING –  
DISCUSSION PAPER**

Thank you for the opportunity to respond to another Discussion Paper on yet the same discussions we had with your government during the VET Reform Agenda. Always a joy to revisit topics the industry has not long ago given advice on, to a new minister.

In all sincerity, I do hope that this time we will have some “real action” in areas of significant concern rather than just more red tape and platitudes.

I have worked in the VET sector for over 30 years and I like many others are dismayed at the current state of VET, not to mention the constant “churn” of Ministers through this portfolio (4 in 18 months was my last count). Much of this disarray must however been laid squarely at both states and federal misguided interventions and lack of knowledge.

I am a Quality Consultant, in others words I advise RTOs through internal audits and workshops on how to remain complaint. My business is national and I have advised RTOs in Queensland, Victoria, South Australia, Western Australian and Canberra, both within the public and private sectors. I am well known nationally as a TAE and assessment specialist and internationally as an RPL specialist. I conduct professional development workshops around Australian in how to Design Compliant Assessments and the Designing of RPL Tools/ Instruments and RPL policies and practices.

My main concern of this Discussion paper, is that it focuses on more regulation and not concentrated enough on how the VET sector got to be in the position it is now. There seems to be a clear lack of understanding by some of the questions posed about how the VET sector operates and whose responsibility it is to do what.

The fundamental issues with the VET sector currently is:

- We have had so many changes in the recent years with no REAL benefit for the sector.
- There are still issues with the quality of auditing with many auditors not even meeting the basic requirements to be an assessor i.e. they are NOT current
- The lack of recent industry experience amongst auditors
- The loss of state based industry advisory boards that gave industry feedback on a level and provided industry requirement for RTOs
- SSOs and IRCs that are still not functioning
- State and Federal funding agencies blaming RTOs for “ripping off” funding yet those government agencies, despite being alerted to these events by other RTOs, let it happen and showed no “due diligence” in their processes.

Quite honestly, you can have all the Discussion papers you want but the fact is, currently the government is “whipping the messenger” and not getting down to real and practical solutions.

Yours faithfully (and hopefully)

**WENDY CATO**

**DIRECTOR**

Diploma TAE Vocational Education & Training

Diploma Training Design and Development

Diploma of Education (Technical)

Diploma of Management

Diploma of Business

## 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?*

*I understood we worked in a free market therefore I struggle to comprehend why we are limiting who can deliver what. Given that there is extremely poor practice in BOTH the Public sector and Private sector in TAE (and I have witnessed this in my auditing) by who and how is this decision to be made? The issue here is more stringent auditing by auditors who KNOW what they are doing. Many of today's auditors have not trained or conducted assessment in years and are not even current in their TAE qualifications. So how do they assess what assessments or delivery modes are competent / compliant?*

*There is also an issue on how this (and other qualifications for that fact) are registered. For example I can apply for a qualification – put up say 4 units of learning materials and assessments (usually classroom based) to get through audit and then after the audit, develop poor quality learning materials and assessments for the rest. In addition, when I gain a qualification on scope (for classroom delivery) I can then decide I will be doing Elearning or RPL and no one checks what assessment tools / instruments I have develop for these modes, after the initial extension of scope, for years after.*

*If **QUALITY** TAE delivery and assessment was the goal, rather than limiting who could deliver/assess TAE, it would be far more practical and beneficial to :*

- 1. Not allow RTOs to deliver TAE solely via Elearning*
  - 2. Audit all TAE RPL tools and processes*
  - 3. Make sure those delivering and assessing TAE have had at least consecutive 5 years of training and assessment in their primary area (of more than 100 hours per year) before they can deliver TAE*
  - 4. Have auditors who are current in their TAE (yes that may mean hiring a number of consultants instead of having a pool of public servants who skills are outdated auditing RTOs).*
- Should RTOs be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors?

*This can create some issues in regional and remote areas especially if this review panel decides to limit who can train in TAE, as you may only have one provider!! It is not that RTOs shouldn't self accredit staff – it's that they **should have appropriate process and policies** as to how this will be undertaken (and follow it). Within that policy they should have a TAE specialist (external) either sit in on the process (if it's RPL) or review the evidence submitted. This evidence should be retained for audit. If the staff member is actually attending class and completing the assessments – then the RTO should be asked to keep these for review at audit.*
  - 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?

The TAE, TAA and BSZ qualification has been changes something like 9 times in 12 years. This is a ludicrous and UNSUSTAINABLE practice. To think that all trainers and assessors are going to totally resit the whole course again whenever there is a change is just more red tape. If they are practicing and working they should have the right to apply RPL, as long as they met the requirements of the Unit of Competency. **The issue here is the standard of RPL policies and practices.** I know of some RTOs, including TAFEs, that hand out upgrade's with no process or policy undertaken. That is the practice that needs to be shut down, not RPL itself. When conducted and mapped properly it is a highly beneficial to the capacity of the workforce in any industry. **RPL is a higher skill and knowledge**, which is why it is only brushed over at Certificate IV level, as **it is a Diploma level unit.** Only people who hold the diploma unit should be allowed to conduct/ participate in the assessment of RPL. I conduct many professional development workshops around Australia in RPL and am constantly amazed / appalled that so many TAE qualified persons have never conducted an RPL on anyone, despite it being a requirement in the Certificate IV TAE. This I believe is because the person delivering the Cert IV had no idea how to do it (as it is not done in enough depth in the Certificate IV TAE), so just skipped over it. The poor quality of TAE trainers/ assessors is the result of this.

- 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?

*Absolutely yes!! You wouldn't get into a plane with a pilot who had never worked in the industry and just got their qualifications yesterday, so why do we allow people to train people who working high risk areas etc in training and assessment when they have no idea?*

- 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?

*There are no circumstances to support a Higher Education qualification what so ever. VET is competency based – Higher Education in the main is not. So how are those graduates going to train in competency based assessments when they know nothing of the system or process? In my previous submission on this topic in the Reform Agenda review, I attached a number of HE Courses in Higher Education / Adult Learning and not one of them covered the Principles of Assessment or the Rules of Evidence – so they should be considered TAE trainers why?*

*I totally agree that people need a Diploma in VET to deliver Certificate IV in TAE. Other TAE Diplomas such as Training Design and Development or LLN do not cover the broad base of skills (i.e. they are specific to sectors) at a higher level.*

- Should the TAE Certificate IV and/or Diploma require a practical component? If so, how long should the practical component be?

*It does have practical components of training and assessment already!*

*If the question refers to traineeship type arrangements then who is paying the tradesperson to come off the job for 6 months on little or no pay? If that pathway is trodden, Australia will find an extreme shortage (unless there is significant compensation) to attract any highly skilled occupation into the training or assessment of apprentices or upskilling of workers.*

- Should entrants to the TAE Diploma be required to demonstrate employment history in the VET industry before being issued with the qualification?

*Absolutely, the idea that you can get a Certificate IV in TAE in one week and then get a Diploma in TAE a month after that, is just folly and downright dangerous.*

- Would this condition help to improve the relevance and validity of assessment? How long would this period of time be?

*One can only hope!! The theory would have to be that if they are practicing regularly and actually have a real understanding of the practices (i.e. under supervision) this leads to better practice. I like the 5 year term (using the trades standard here) to be the “time served” prior to becoming a TAE trainer / assessor but could live with 3 years but that would be the minimum. Note: that would need to be set as in a number of hours as working once a month over 3 years would not make the grade.*

## **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?
  - a. 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?
  - b. 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?

*This unit is a Diploma unit and should remain as such, due to its skill level. The entry level is a Certificate IV unit. The question goes to show that the person that wrote this has no idea of what one does at a Certificate IV level in the main as a new graduate. The new Cert IV graduate tends to go to an RTO, is given their delivery materials (learner resources, powerpoints, lesson plans) and assessment tools and just follows process. I wouldn't be asking anyone who just graduated and virtually not undertaken any significant assessments (so virtually has no idea of the practice of the Rules of Evidence and the Principles of Assessment) to design assessment tools it's like asking a mechanic who graduated yesterday to fix a million dollar Porsche.*

- 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?

*Well that would depend on who these “key” stakeholders are. Firstly if we look at the former IBSA Education and Training Sector Advisory Committee it was hardly representative of stakeholders, taking out the IBSA representative, we had 1 university, 4 TAFE representatives, 1 Enterprise representative, ACPET, 2 non RTO professional development organisations (VELG and VIC Development Centre (excluding ACPET) 3 government agencies/representatives, 2 possible TAE practitioners, and few people from another unrelated organisations and one private college. I would dare to suggest that out of all of those representatives possibly on two actually work at the grass roots level training and assessing TAE. So if this is what IBSA (the ISC saw as representative, it’s pretty poor).*

*Part of the reason the TAE qualification gets so much criticism is that it is consistently been modified for either government interests or “big” interest not for the smaller interests in regional or rural areas or for those that have to actually deliver the qualification. A prime example of that was the picking out that despite all dictionary definitions pointing otherwise a “group” is now 7 people!! Getting 7 people in a regional or rural area is nearly impossible, which for the delivery component means that all would have to travel to large regional or city RTO to access this. Also how does work when undertaking ELearning?*

*Every relevant stakeholder needs a say, smaller states, regional areas, metro areas but in order to have a say, they need to be at grass roots i.e. stand up TAE trainers and assessors who actively deliver and assesses the qualification. Get rid of the bureaucrats, government agencies and non RTO organisations.*

### **3. Discussion Questions : benefits and purposes of a proposed 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?

*They can fund professional development but people get the right to chose how they spend it. If you fund a body, who are you going to fund? ACPET, VELG Training or the VIC Development Centre? How are they going to service regional and remote areas? So is this just something for the city eastern states folk?*

- What are the barriers to establishing a national professional association? How could these be overcome?

*The barriers are - no one wants it. It has been tried before and nothing has ever gotten up and running and sustainable on a national level.*

- What would be the most useful guiding purpose of a national professional association?

*Lobbing the government and providing it with “**REAL**” data on how the sector works. This is clearly being displayed by the fact that we are being asked the same questions asked by the VET Reform agenda held less than 2 years ago. Clearly no one is listening!*

## 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

*We already have a number of organisations and private consultants that provide this*

- develop capability frameworks
  - Several have been developed over the years and still not doing anything of note*
- positively promote the profession of VET trainers and assessors as an employment destination and career path to attract professionals

*This could be difficult given some of the low pay rates, the constant updating of qualifications by trainers/ assessors every time a Training Packages changes, the cost of ongoing professional development, often at the trainer / assessors expense and now the possibility of having to undertake your Certificate IV in Training and Assessment over a longer time frame and at a much higher cost.*

- act as an advocate and voice for VET trainers and assessors

*That is about the only use people might accept if it was set up properly*

- interact with industry to respond to their emerging needs

*Isn't that what the IRCs and SSOs are for? Industry must be pretty sick of every RTO knocking on its door*

- register VET practitioners?

*For what purpose? To take money and add more red tape to the system?*

- 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?

*None that I can think of.*

- Are there any existing organisations that could fulfil this role?

*No the largest ones are all based on the eastern seaboard and rarely go into smaller states or territories as the mass is not there for them to make money.*

## 5. Discussion Questions: Models for a VET professional development 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?

*No model suits see comments in Question 4. This and question 4 have been discussed many times and been rejected soundly by the industry (guess whoever wrote this discussion paper forgot to look at history and feedback from the VET Reform Agenda and previous discussion feedback on this topic)*

## 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?

*See previous answers in question 4 . The last capability framework was developed in 2011 by IBSA and 5 years later still hasn't got off the ground*

## 7. Discussion questions: increasing industry capability

- 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?

*No, industry does not see contributing to RTO or VET validations as core business, not do many of them have the skills to be involved. This is a job for the IRCs and SSOs not 5000 or so RTOs tapping on everyone's doors.*

- 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?

*The way to ensure industry's confidence includes :*

- *Having auditors who are current in TAE and have experience in designing compliant assessment tools*

- *rigorous auditing of assessments on a regular basis not every 5 or 10 years*
- *higher level audits for RPL assessments including having to have RPL on scope as a method of delivery i.e. they need to be audited before you can offer RPL*
- *audits for Elearning assessments ( which in the main are pretty poor and do not meet the Units of competency or the Dimensions of Competency as they are mainly theory questions or multiple choice. Again this should be a addition of scope item i.e they need to be audited before they can be offered*
- *Have only Diploma of VET graduates deliver TAE*
- *TAE trainers and assessors must have 5 years experience before gaining a Diploma of VET*

In terms of the other questions:

- 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?

*This competency based training so what is it with the pass or fail garbage? Whoever wrote this question has no idea of what VET and competency based training is about.*

*So we are just going to build another government agency to administer tests? What a waste of money. Who would mark these tests – public servants? Who is going to provide feedback to students? How long will someone have to wait for a an assessment to be marked? Can they appeal? What will be the costs? Stupid, stupid idea.*

*These questions have been written by either someone who has a stake in being an assessment agency or someone who has no idea at all of the repercussions involved in doing this. Why don't we just throw out VET and RTOs and let it all be done by public servants and a computer system?*

## **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?

*Industry (however it is defined) input needs to be done from a central level (such as the old Industry Training Advisory Councils ( the real ones before amalgamation) and the state Industry Training Advisory Boards because what industry endorses in one region or area is not going to be*

*the same in another region or area....so then we will have conflicting assessments and someone needs to bring the whole of the industry together as a group.*

- 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?

*No, forget industry validation unless we go back to the old national and state system through ITACs and ITABs. That system worked well.*

*I did a validation recently with 2 industry representatives, it was slow and painful as they had to be directed along the way i.e. trained and they had a Cert IV TAE. So I don't see the point as many do not understand:*

- *The Rules of Evidence*
- *Principles of Assessment*
- *Dimensions of Competency and other key requirements of Validation*

- Is there a need to build industry capacity and capability regarding involvement with training and assessment? If so, how might this be done?

*No they don't want to – unless you throw money at them*

- 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?

*Bring back centralised ISC and state ITABs - so 5000 RTOs are not knocking on industries doors every day.*

## **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.

*Even before one can answer the questions posed there needs to be primary controls around the validator which have not been addressed such as:*

- *who can be a validator and what skills do they need to have?*
- *Do they need a Diploma in VET?*
- *Should they have public liability?*
- *Do they need to be registered?*

- *What is the control measure going to be otherwise it is a waste of time.*

*At the moment anyone can be a validator. I have seen a person who used to own a RTO that is now doing the circuit as a validator but doesn't even hold a Certificate IV in TAE or higher TAE qualification.*

*When such questions have been answered then the other questions can be answered with more insight and confidence.*

- 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?

*The main problem that still remains are called auditors. The problem we currently have is that we have auditors not up to the task. We have auditors assessing RTOs who have no idea about the particular sector they are auditing – so how does that work in high risk areas? Audits used to have to be made up of a two auditors and an industry expert (who usually came from the ITAB) now you get audited by some desk jockey who is not current in their TAE and doesn't have a clue about the industry they are auditing. **Now there is a problem.***

*There are also state licensing agencies in the mix currently so how many people do you want to bring in. How many people / agencies does it take to assess a person?*

- 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?

*The audit program already has risk factors in it:*

- *Licensing*
- *Multiple sites*
- *Large scope*
- *CRICOS*

*If you fixed the auditor problem you don't need independent validation.*

- 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.

*Again this is going to add to costs, red tape and totally cheese of people entering the industry. This is just rubbish. Fix the basic problems:*

***We NEED functioning National Industry Training Advisory Boards back together with state based Industry Advisory Organisations together with capable Auditors and the problem should fix itself.***

- 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?

*Forget it unless you want to kill VET off totally. Get the other stuff fixed and this won't be necessary*

- 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?

*No one, it is rubbish*

## **10. Discussion questions: industry expectations of 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?

*No its rubbish. We have competency standards – so industry has outlined what it requires. One size resource does not fit all . Again if the resources are not meeting the competency standards that is a result of poor auditing.*

- 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?

*Yes, however because of the way government funding is often structured at such a low level, it means many providers struggle to provide the types of outcomes required. How can a RTO who assesses on the job but is only allowed out on 5 site visits per qualification, possibly be delivering good service but yet that is all they are required to do under most of the funding arrangements. Government funding measures have driven training to an all time low – it is seriously underfunded ( and under audited by those governments who fund it hence the Vet FEE help and state funding disasters – who has their eye on how this money is being spent – obviously no one!) but until it gets the auditing and assessment process right , it would be ludicrous to up the funding rates.*

## 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?

*No. How many times do you need to change the damn rules and bestow more red tape!! Leave it alone and address the real issues that have been mentioned since this government came to power:*

- *the quality of auditing*
- *The use of ELearning for whole qualifications*
- *Anyone being able to assess RPL*

- 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?

*It is my belief that RTOs should have always been made required to keep assessment samples of students for audit of someone they have deemed:*

- *Not competent*
- *Competent*
- *Border line cases*

*This allows for auditors to check if assessors are indeed following the Assessor Guides and maintaining the standard required. I have seen assessments that have been handed to auditors for approval but the RTO uses different assessments of lesser quality for assessing students....because they are not required to keep samples of completed work and as such can get away with it.*

- 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?

*The samples do not need to be big but most show a range of student ability / competence. In the current format of saying you have to keep "X" amount means I am only going to keep GOOD ones. It would be a different matter if I had to keep X amount of those who were deemed competent . X amount of those found not competent and X amount that were deemed "border line:.*

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

*ASQA is fine it just needs more "hands on" / competent / TAE current auditors. In regards to assessment firms, who would pay for these firms and what would their competencies be? Really how much cost do you want to add to the poor RTOs? Fix the auditor problem and ditch the idea of assessing firms.*

- 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?

*Training only RTOs ?? What a joke! Why would you train with an RTO and not get assessed by them? Surely this would add to the cost for the student as well.*

## 12. Discussion paper: enforcement

- How could the focus of regulation move to evaluating assessment outputs?

*Get the auditing right as there are enough standards in the current ones, they just don't have people who know one end of an assessment tool from another. I recently starting doing a consultancy job with an RTO that only has the Certificate IV TAE on scope. It was audited just weeks before I took on the contract. It was passed through audit on materials that did not meet the Unit of Competency – **that is THE real problem that needs urgent addressing.***

- 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?

*The only person that suffers in this is the student. What happens if not only the assessment but the training was also inadequate, so the student can't passed the external reassessment. Then the student has lost their money (paid to the RTO) and spent time training for nothing. A stronger, more capable and current, auditing force needs to be developed and then all RTOs should be audited – yes even those who got exemptions. I bet some of them have bad assessments but due to poor past auditing have not been picked up. This needs to be government funded because the government has been the one that dropped the ball!*

- To what extent should the characteristics of the RTO influence the response? Should the size of the RTO or the number of students involved matter?

*Yes without preference as to whether it is public funded or private funded, all RTOs should be treated equal. Sadly my experience is that they are not. I know TAFE (a large RTO) can get preferential treatments and also large private RTOs such as Vocation got them. I know of TAFE colleges and large publicly listed RTOs whose assessments are appalling, RPL practices not controlled and still using outdated Training Packages, how does that happen? The larger the organisation the more scrutiny it should be under public or private.*

- 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?

*Why are they repeatedly non complaint and not deregistered – how does this happen? They should be defined as "Cancelled" or at least must have an external consultant / validator review all of their assessments until the regulator is satisfied that the RTO understands its obligations.*

- What role should regulators have in communicating their activities and findings? Does current regulatory practice provide adequate transparency and disclosure, or are there other approaches that should be taken?

*The regulators do well in this area I believe, well at least ASQA. I do not have a lot to do with the VRQA or TAC in my work.*

### **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?

*I believe that this shouldn't even happen and if we had competent auditors (including industry specialists) it wouldn't. Auditors should go into RTOs more often, on receiving complaints. The old ITABs (state based industry boards) – used to flag RTOs in their industry that they thought were not doing the right thing. They are gone now – so no one does it. This thing of leaving an RTO for 5 years before a revisit isn't right. How often do things change and the auditors go in? I have never heard of auditors going in 6 months after a RTO Manager / CEO changes. I know of RTOs that have had questions raised in audits by state funding bodies – but ASQA doesn't investigate, why?*

*This government needs to **FIX THE PROBLEMS** not skirt around with proposed solutions that penalise the student for no fault of their own. Who should pay – the government should, if they go about cancelling students qualifications, as in the wash at the end of the day, it is the **GOVERNMENT'S FAULT** for poor auditing practices and allowing poor RTOs to exist!*