



## 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 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:

#### Introduction

The Catholic Education Commission of Victoria Ltd (CECV) welcomes reform in the vocational education and training (VET) sector and supports the Australian Government's assertion that quality outcomes from VET are fundamental to ensuring a skilled workforce and supporting a productive economy. The CECV also reiterates the Australian Government's belief that quality assessment in a competency-based training system is one of the fundamental pillars to attaining quality outcomes.

The Discussion Paper raises a number of concerns identified regarding the rigour and integrity of the VET sector, including assessment. The reputation of the VET sector is tarnished when the quality and consistency of outcomes do not meet the Standards and poorly trained graduates are a liability in the workplace. It is paramount that all graduates have the required competencies to take on work roles. One important ingredient needed to achieve quality outcomes is setting assessment tasks that meet the standards set by industry and by having trainers and assessors with the capability to assess

consistently and appropriately. However quality assessment for trainees also needs to be matched with quality training, high student engagement and appropriate industry workplace experience.

This window of reform creates an opportunity for Governments, VET Regulators, industry, education sectors and RTOs (and their third party partnerships) to work collaboratively to improve training and drive greater confidence in the VET sector's ability to achieve quality outcomes.

The role of Regulators and their capacity to effectively regulate quality assessment practices and outcomes and take appropriate action where required could create a platform for systemic change and improvement.

Within the school education context, *Preparing Secondary Students for Work* sets a framework for vocational learning and VET delivered to secondary students. *Preparing Secondary Students for Work* captures the importance of access to quality VET programs for secondary school students. This framework conveys as its vision that 'all secondary students experience quality vocational learning and have access to quality VET courses'. Above all, the framework provides an important platform for reinforcing the key message that VET delivered to secondary students is identical to all other VET.

From the school education perspective, it is therefore important to note the participation of school students in VET programs. The latest available data from the National Centre for Vocational Education Research (NCVER) reveals that nearly a quarter of a million school students were engaged in VET programs in the 2014 year. This significant participation in VET from the school student cohort should not be overlooked. Of these 247,200 VET (in Schools) students, 21,000 were engaged in a School Based Apprenticeship or Traineeship (SBAT).

Data published by the Victorian Curriculum and Assessment Authority (VCAA) for the most recent (2015) secondary school year reveals that there were **51,603 students** enrolled in VET delivered to secondary students in 2015, with **68,470 certificate enrolments**.

All Victorian Catholic secondary schools offer students access to VET programs as part of their senior secondary certificate. The latest available VET certificate enrolment data for the Victorian Catholic school sector shows that in 2014, there were **13,614 certificate enrolments** in VET undertaken as part of a senior secondary certificate, an increase of **25.21%** over the period 2009-2014.

This highlights the imperative for access to quality VET, including for secondary school students in Victorian Catholic schools.

## **Question 1: RTO limitations**

### **Appropriateness of RTOs to deliver TAE qualifications or skill sets**

The judgement on RTOs delivering TAE qualifications or skill sets should not be about limiting the number of RTOs delivering these qualifications or skill sets, but rather, a case of eliminating poor performers and profiteers. The CECV has confidence that the Australian Skills Quality Authority (ASQA) (and the Victorian Registration and Qualifications Authority (VRQA) in Victoria) will continue to play a pivotal regulatory role in enforcing the *Standards for RTOs 2015* (or in the case of the

VRQA, the *2016 VRQA Guidelines for VET Providers*). The elimination of under-performing RTOs would lead to a natural attrition in the number of RTOs delivering TAE qualifications and skill sets.

#### **Issuing TAE qualifications to an RTO's own staff**

The integrity of RTOs needs to be judged on the outcomes of the audit process. Restricting the high-performing RTOs from their core business should not be an option. If they have a proven record as a high performing RTO, then they should be able to issue TAE (and all) qualifications or skill sets to their own trainers and assessors, pending a rigorous process to demonstrate competency.

In placing restrictions on the capacity of high performing RTOs to issue TAE qualifications or skill sets on their scope to their own staff, there is a risk that, by extension, this requirement could be broadened to include all qualifications and skill sets on their scope. This would be an undesirable outcome.

The regulatory burden needs to be eased for the high performing RTOs, and auditing personnel and resources targeted to address and remove the poor performing and the unscrupulous profiteering RTOs. The focus should be on eliminating under-performing and unethical RTOs that issue qualifications without appropriate processes and due rigour, and not restricting high performing RTOs from their core business.

#### **Recognition of Prior Learning (RPL)**

Restricting RPL may create an impediment for experienced trainers and teachers to work in the VET sector. RPL goes to the heart of competency-based training. The learner is either competent or not yet competent and recognition of any prior learning identifies competency that has been gained over a sustained period, therefore the RPL process should apply appropriate and consistent rigour so that the learner can fully demonstrate their competence.

From a school education sector perspective, the training regime needs to recognise and acknowledge the teaching and assessment capabilities (skills) of appropriately qualified school teachers, with relevant industry knowledge and experience, in areas of curriculum interpretation of the training package. Teachers should have the capacity to receive RPL, as they have a high-level teaching qualification which gives them the advantage of having the core teaching skills. Teachers have the expertise and experience to translate the training curriculum into a pedagogical framework, engage students in their learning and plan and develop assessment tools that meet the required industry standards.

The latest available NCVER data reveals that in 2014, there were nearly a quarter of a million VET in Schools students across Australia. In the Victorian Catholic school education sector, a significant proportion of VET delivery to secondary school students is undertaken through third party (auspicing) arrangements, relying on the teachers holding a TAE qualification amongst other requirements. The implementation of restrictions on RPL may therefore impact negatively on the capacity of schools to deliver VET programs to their senior secondary students. This outcome would be undesirable and would not help improve the retention of students, nor assist with engagement and opportunities for young people to explore and experience future pathway options.

Given the above context, it would be a detrimental step to prevent the opportunity for RPL.

### **Improving the assessment skills of the VET workforce**

Ideally, TAE qualifications are best delivered by proven and proficient practitioners with the appropriate qualifications who through their delivery, can exhibit and model high quality training and assessment.

Judgement on suitability to deliver TAE qualifications should be based on the trainer's teaching and assessment capabilities, their ability to engage trainees, and impart the necessary knowledge and skills for the benefit of the learner, their compliance with the Standards and evidence of their knowledge and participation in the VET sector. Given the above, attaining higher-level qualifications may assist with gaining further depth of understanding of training and assessment, however it does not necessarily guarantee that the TAE trainer will be better placed to deliver high quality training and assessment to the learner.

Mandating employment history in the VET industry for entrants to the TAE Diploma may have the potential to disenfranchise a number of significant contributors to the VET sector. These entrants may have the background and capacity to undertake the TAE Diploma (for example, entrants that may have a commitment to the VET sector, such as personnel working in the education sector, and who are seeking to enhance and deepen their understanding). Entrants seeking to apply for the TAE Diploma qualification need to demonstrate appropriate knowledge and understanding of the VET sector in general, not necessarily have a current industry employment history.

Policy makers need to allow flexibility and recognition of prior learning when specifying a period of training and/or assessing employment history in the VET sector, and/or requiring a practical component. Some personnel have varying experiences in teaching and learning, not necessarily in the VET sector or in a VET industry, such as those with proven skills and expertise in teaching and learning, designing and assessing, or teaching LLN skills in other education contexts.

## 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:

#### Skills and qualifications of trainers and assessors

Quality assessment plays a vital part in ensuring successful outcomes for students, but equally important are quality teaching and learning.

The Victorian Catholic school sector has a significant proportion of VET program delivery through third party (auspicing) arrangements, aimed at providing greater access to VET programs delivered on the school site (such as with Trade Training Centres/Trades Skills Centres). Whilst understanding the need for ongoing development and refinement of Training Packages, there is a perceived degree of frustration experienced by VET trainers in school settings at the continued requirement for upgrades to what is now known as the TAE Certificate IV qualification. This comes at a considerable financial cost and time commitment.

The TAE Certificate IV qualification has been developed and endorsed through a rigorous process, and yet there are calls for further refinement and the inclusion of additional units into the core (e.g. the LLN unit, and now the *Design and develop assessment tools* unit of competency). Is there strong evidence that the inclusion of the latter unit will improve outcomes for the learner? Is the focus on assessment at the expense of quality training (teaching and learning), which is inevitably a precursor to the capacity of the learner to be prepared for appropriate assessment?

### 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:**

##### **Benefits and purpose of a national VET professional association**

There would appear to be advantages for the formation of a VET professional association to act as a collective voice for policy input and decision making, framing professional learning needs and providing opportunities for mentoring and sharing of good practice. However, there are some reservations regarding the independence of such a VET professional association, if it were to be significantly funded by the federal government.

As viewed from the school education sector perspective, the CECV acknowledges the critical importance of building the capacity of teachers to drive improvement, including practitioners in the VET sector, and duly recognises the contribution that high quality teaching and learning make to successful student outcomes. Within this context, the CECV commends, in principle, the intent behind the proposal to establish a professional association for the VET sector, including consideration of the development of a collective voice, and in particular, a commitment to shape professional development for ongoing capacity building, to enhance student outcomes.

##### **Possible barriers to establishing a national VET professional association**

However, the CECV notes that:

- There are already a number of professional associations which offer professional development in the VET area, for example:
  - VET Development Centre
  - VELG (Vocational Education Learning Group)
  - VETnetwork
  - VALA (Victorian Applied Learning Association).
- A new federally funded VET professional association may duplicate what is already happening with professional development opportunities in the VET sector.
- In 2014, there were nearly a quarter of a million school students enrolled in VET programs nationally. Therefore, the school education sector would need to be considered in the planning for and shaping of any new VET professional association, and the needs of schools and their students considered, together with the needs of a diverse range of contexts operating in the VET sector, including in the framing of any future professional development opportunities. It is not

clear how such a professional association might cater for and represent the diverse needs of VET practitioners in a varied range of industries and training and assessment settings, across Australia. It is also not clear from this particular proposal (Question 3) if membership of the professional association is intended to be voluntary or mandatory (e.g. a pre-requisite for a VET professional). If to be mandated, and operating at a national level, there would need to be perceived direct benefits for individual members, to 'offset' the possible financial commitment required. Another barrier might be the potential for membership to be perceived as aligned with 'compliance' and accreditation, as might be the case with other professional bodies

- If the association is to have a role with professional development, given its national context, another factor to consider would be access and equity, and how VET practitioners across Australia might equitably and easily access professional development, without undue financial burdens (again, mindful of existing bodies operating in this field). Effective use of technology might be a means of assisting with wider access (such as Webinars, online resources and support materials)
- As intimated above, it might be very difficult for a VET professional association to cater for all industry areas; the focus could possibly be more focused on building the capacity of VET practitioners in teaching and learning, including training and assessment
- There could also be potential barriers depending on the membership categories established. Another possible barrier might be the structure of such a national association, and its governance arrangements, which might determine the capacity of the association to serve its members (with consideration of matters such as leadership structure, any voting rights to determine a collective voice and broad representation on any specific issues etc)
- The costs associated with establishing a new professional association may prove a financial barrier and a possible burden
- Another possible barrier might be the need for the association as a new 'player' to establish its credentials and gain standing as a representative body, given the context of existing bodies already operating in the sector (e.g. with the provision of professional development targeted at VET professionals, as outlined above)
- It would make sense to have one national over-arching VET professional association body. Further clarity would also be beneficial regarding the perceived role and purpose of the professional association, including with respect to the VET Regulators
- A VET professional association would need to be very clear as to what skills need to be developed by VET practitioners nationally. There are already in place Australian Professional Standards for Teachers that could possibly be used as a basis for VET teaching standards. Therefore, this could be done through the development of a capability framework for the VET sector based on the Australian Teaching Standards. It would be very beneficial for students to put the 'teaching' back into vocational education and training which the CECV believes would improve learning and in turn assessment.



#### 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:**

##### **Potential activities of a VET professional association**

The activities of a national VET professional association could include:

- Designing targeted professional development activities. Professional development programs could be sponsored by the VET professional association and undertaken through existing groups and/or other external structures approved as ‘accredited’ professional development providers. There are a number of existing bodies with significant membership which could be utilised for this purpose.
- Promoting VET sector work as an attractive career path
- Acting as a representative and collective voice for VET practitioners and key stakeholders (including representing the best interests of students) and as an advocate for the VET sector
- Interacting with and working with peak industry bodies to ensure VET is aligned with industry needs, including emerging needs, and to ensure that industry is responding to education and training needs of the community, including learners
- Developing capability frameworks (or refining existing models such as the IBSA VET Practitioner Capability Framework) and other resources to support good practice.

##### **Registration body**

- Teachers/trainers in Victorian secondary schools delivering VET on a school site must be registered with the Victorian Institute of Teaching (VIT). If they do not hold teaching qualifications, they are able to seek registration from the VIT, in the category of Permission to Teach, in a particular VET industry area, for a set amount of time on a specific school site, with the opportunity to reapply. However trainers not delivering on school sites are not included in this VIT registration process

- If it is mandatory that VET teachers are a member of such a professional association, then registration alone will not assist with ensuring the quality of teaching and assessment in VET. The CECV does not support the concept of a national professional association being a registration body, as this role may 'blur' the purpose of the association and its perceived alignment more with compliance and regulation, rather than other activities such as professional development and building the capacity of practitioners. Further clarification would be beneficial on the perceived role of a registering body, and its relationship with VET Regulators, understanding the context that VET practitioners may in fact be working under the framework of multiple VET Regulators, depending on their individual employment circumstances and arrangements (e.g. in Victoria, schools delivering a diverse range of VET programs under third party arrangements with respective RTOs may be working under the *Standards for RTOs 2015* and also the *2016 VRQA Guidelines for VET Providers*). The CECV suggests that addressing compliance issues should not be the role of a national professional association. Instead, the CECV proposes that if there is a desire to implement a registering body, then an alternative body be considered to that of the suggested national professional association.

#### **Advantages of a national approach**

- Having a national perspective would provide the opportunity for a collective representation of the VET sector.

## 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:

#### Model for a VET professional association

- The CECV believes that Model B would be the preferred option where it could:
  - develop a set of professional standards/capability framework for VET teachers and trainers based on the Australian Professional Standards for Teachers, with the aim of enhancing the quality of teaching, learning and assessment
  - develop opportunities for appropriate professional development for VET practitioners. An annual conference could be an important link between all the VET stakeholders. An annual conference would attract practitioners nationally and be an ideal place for training institutions, schools, RTOs and industry to network and learn together
- Although Model A recognises existing organisations, the CECV sees this model as too complex, difficult to manage and unlikely to have an inclusive voice in the development of policy
- The CECV expresses reservations regarding Model C which suggests that VET practitioners be registered with the teacher registration body relevant to the jurisdiction in which the RTO operates. Under this model, there is a risk that the core business of the professional association is concentrated on and consumed by the registration process, at the expense of building VET practitioner capacity
- In relation to membership of the VET professional association being voluntary or mandatory, there are good arguments for both. A consistent approach to teaching, learning, and assessment by VET teachers/trainers nationally would be an advantage. If to be mandated, as expressed previously, there would need to be perceived direct benefits for individual members, to 'offset' the possible financial commitment required. It would be disappointing if membership of a professional association proved to be unaffordable for VET practitioners and membership were to be perceived simply as aligned with 'compliance' and accreditation. There would need to be agreement between all states and teacher registration bodies, to achieve a consistent approach to registering VET practitioners.

## 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:**

#### **Capability Frameworks**

Ideally, a capability framework should clearly reflect the knowledge and skills required of VET practitioners and should be used to design appropriate professional development programs for trainers and assessors, in order to build trainer capacity to deliver high quality training and assessment.

A capability framework needs to be more widely promoted to enable VET practitioners to use the framework as a reference point in developing their strategic professional development plan and tailoring professional development to individual staff needs.

## 7. Discussion questions – increasing industry confidence:

- Are there alternative approaches not covered in this discussion paper on how industry can increase engagement with the conduct of assessment, but not specifically the validation?
- Are there other ways to ensure industry confidence in assessment without requiring independent validation of assessment? For example, are industry-endorsed, externally administered tests a practical alternative to ensure that VET graduates are competent?
  - What would be the benefits and drawbacks in requiring such tests? Under what circumstances would they be mandated, for example, for particular student cohorts? Should these be specified in training products?
  - Who should regulate the tests?
  - Should such a test be a pass/fail dichotomy, or would it be more important to use the test to identify gap training?
  - Is the concept of an externally administered test, such as a test required before receiving a qualification, inconsistent with the premise of a competency based VET system?
  - Should the results of tests be made public at the RTO level?

### COMMENT:

#### **Industry engagement in assessment**

The national framework for vocational learning and VET delivered to secondary students, *Preparing Secondary Students for Work*, emphasises that VET delivered to secondary school students is identical to VET offered in any other context. Industry therefore needs to feel confident in VET delivered in school settings. So it is important that students have access to industry standard equipment and facilities for their training and assessment, and have the opportunity to experience VET in authentic industry settings, supported by appropriately qualified personnel, with current industry experience.

Strategic employer input into the design, development and review of assessment tools, materials, templates and good practice guides, would be of assistance. Resources to assist with and support the design and development of assessment could include a suite of online 'exemplars' or best practice examples.

Employer involvement in targeted professional development would also be beneficial.

#### **Concept of an externally administered test: benefits and drawbacks**

The concept of an externally administered test, such as a test required before receiving a qualification, is inconsistent with the premise of a competency based VET system. The measurement of performance depends on a clear and accepted definition of what is required to succeed and needs to be fair and accurate. An external test would not necessarily reflect the whole purpose of the intended outcome, and could create additional regulatory, administrative and financial burdens.

Whilst the Discussion Paper refers to recent ASQA strategic reviews which '*highlighted assessment as an area requiring more attention if the quality of training is to improve*', the CECV advocates that the desire for high quality assessment should not be considered in isolation. To maximise student outcomes, the ultimate aim should be high quality in all aspects of the student experience, from high quality teaching and learning, culminating in high quality assessment, all interrelated. In using assessment, in particular external assessment, as a driver to improve training, there may be a risk that the assessment measure or testing process drives teaching and impacts negatively on curriculum delivery and the training, to the detriment of the student learning experience and outcomes.

## 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:

#### **The role of industry in assessment**

Under the current *Standards for RTOs 2015*, the opportunity for industry involvement in validation already exists (see Standard 1.11 which refers to the systematic validation process: *‘Industry experts may be involved in validation to ensure there is a combination of the expertise set out in (a) to (c) above., with (a) to (c) defined as:*

- a) vocational competencies and current industry skills relevant to the assessment being validated;*
- b) current knowledge and skills in vocational teaching and learning; and*
- c) the training and assessment qualification or assessor skill set referred to in Item 1 or 3 of Schedule 1.*

However, the proposal to implement a more general requirement for industry validation of assessment would be of concern. It may tend to infer that the current *Standards for RTOs*, relatively recently legislated, have already proven to be not sufficiently rigorous within the short time they have been enacted. Or, given this relatively short timeframe, has there been sufficient evidence to support the premise that assessment and its validation, as operating under the Standards, has proven problematic?

The *Standards for RTOs 2015* and the *2016 VRQA Guidelines for VET Providers* provide a definition of ‘Industry’ (please see the excerpt below), which does demonstrate the breadth and diversity of the terminology and the bodies it may encapsulate. It is also important to appreciate the diversity even within an industry sector (e.g. depending on factors such as the size of the business, location, changing or local environments, etc and how assessment judgements might be affected by individual industry needs and interpretations).

*Industry*

*means the bodies that have a stake in the services provided by RTOs. These can include, but are not limited to:*

- a. enterprise/industry clients, e.g. employers*
- b. group training organisations*
- c. industry organisations*
- d. industry regulators*
- e. industry skills councils or similar bodies*
- f. industry training advisory bodies, and*
- g. unions.*

Drawing on 'industry' to be involved in validation of assessment could therefore prove problematic for a number of reasons.

Mandating industry validation of assessment could create an additional layer of regulatory burden.

As outlined in the Discussion Paper, the CECV concurs that in some contexts, particularly in rural, regional and remote settings, ready availability of and access to industry representatives possessing the appropriate skill set, qualifications and experience may not be feasible, practical, nor within reasonable financial constraints. It is important to note that under Standard 1.11, as referred to above regarding the possible involvement of industry in validation, the terminology 'industry expert' is used. This infers that involvement in validation assumes and requires a level of expertise, specialist skills and understanding.

In the case of some more specialist industry areas, access to an appropriately qualified industry member for the validation of assessment may not be possible, depending on a range of factors, such as location and the capacity and capability of the available workforce to accommodate all demands.

The proposal for validation of assessment by industry also assumes that the validation of assessment can be applied objectively, consistently, reliably, fairly and equitably across all contexts and across all industries. If validation of assessment by industry were to be mandated, it is not clear how consistency and reliability could be guaranteed, across all industries and across all contexts.

The proposal for validation of assessment by industry also assumes that there is capacity, capability and specialist expertise on the part of industry to accommodate the demand; yet this requirement might not be seen as the core 'day-to-day' business of industry, which could therefore prove problematic and add undue pressure and workload on industry. Any perceived benefits from industry involvement in the validation of assessment might not outweigh the potentially significant impact on industry arising from their involvement.

Given the additional burden and expectations that this proposal may inevitably place on industry (including access to and ready availability of specialist expertise), the proposal for the involvement of industry in the validation of assessment should not be seen at the expense of the involvement of industry with training.

Engagement with industry may be through employers, for example:

- supporting opportunities for quality workplace learning experiences where learners can practise and refine their skills in an authentic environment, to be better prepared for assessment of competency (including training commitments to apprenticeships/traineeships, and School Based Apprenticeships and Traineeships)
- making their facilities available to learners for workplace assessment
- having a commitment to be involved in professional development for trainers and assessors (including consideration of Webinars to facilitate access and participation); and
- providing opportunities for VET practitioners (including those operating in school settings) to have access to 'Teacher Industry Placements' (or similar 'release to industry' type arrangements) to maintain their industry currency and continue to build their skills, experience and knowledge in authentic industry environments.

Industry could be involved in the development of appropriate and supporting resources (e.g. good practice guides, assessment exemplars) which could prove beneficial in the endeavours to improve teaching and learning, and assessment.

Rather than reinventing the wheel, is there an opportunity to capitalise on and build on good practice resources previously developed and government funded (for example, within the school context, the National Quality Council (NQC) **Partnerships for VET in Schools** publication, which includes a section on assessment)? This resource provides invaluable advice and guidance and may need updating, rather than 'starting from scratch'.

Industry also has the opportunity to provide input into the development of curriculum through Training Packages, including consideration of the training and assessment components.

Holders of TAE qualifications, rigorously attained, have been deemed competent to deliver training and conduct assessment, and therefore mandating industry validation of assessment would seem unnecessary and may undermine the credibility and integrity of the TAE qualification awarded.

Again, as previously advocated, the focus should be on eliminating the under-performing RTOs and minimising the regulatory burden on high-performing RTOs.

## 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:**

#### **Specific models**

The CECV seeks to reiterate its concerns that the desire for high quality assessment should not be divorced from the aim for high quality teaching and learning as part of the training experience, and that a focus on assessment, taken in isolation, will not necessarily lead to quality outcomes.

Given that the implementation of the *Standards for RTOs 2015* is relatively recent, has there been substantial evidence to inform the above proposal for independent validation of assessment over the short time-frame since the enactment of the Standards i.e. is there now substantial evidence to indicate that the current Standards are not rigorous enough to address concerns in this area and that the proposal will necessarily result in improved student outcomes?

It would be of concern if any of the proposals outlined were to result in increased regulatory, administrative and financial burdens. Has there been any consideration of the impact of this proposal, particularly the potential cost impact of independent validation, and of external assessment, and also the potential to readily access independent assessors with the necessary skill sets, appropriate qualifications and relevant experience and expertise?

Could the proposals requiring independent validation of assessment and independent reassessment create an opportunity for a potentially undesirable growth in a 'niche market' or specialist field (i.e. a potentially lucrative market for entrepreneurial/opportunistic bodies)?

How is it envisaged that independent validation of assessment and also independent reassessment would be conducted objectively, consistently, reliably and equitably, and monitored across all contexts and across all industries, nationwide (e.g. benchmarks for validation and consistent assessment)?

As outlined previously, is there a risk associated with external assessment that this then drives the teaching and learning (or training) experience (i.e. teaching to the external assessment, rather than focusing on improved student outcomes)?

Should the Regulators, supported by appropriate and adequate resourcing, rather invest their time and devote their energies to RTOs that are largely non-compliant and in this case, it is not just the assessment that should come under scrutiny, but the training as well?

It could be reasonably argued that areas of public safety should be a focus and have a higher priority for scrutiny, however this should not obviate the need for the Regulator to address serious cases of non-compliance, not necessarily overtly and directly related to areas of public safety, and for ongoing review of other identified areas of public concern (such as the duration of training and the capacity of an inexperienced student to be deemed competent within a relatively short time frame, thereby undermining the integrity of training and the VET sector in general).

The aspect of reassessment is of concern from the perspective of senior secondary students. As indicated above, in 2014, according to NCVER data, there were nearly a quarter of a million 'VET in Schools' students across Australia, not an insignificant cohort. As these students may be relying on the contribution of their VET program to actually gain their senior secondary certificate, and also possibly contribute to their ATAR (and therefore potentially contribute to the opportunity for further education and training and pursuing their chosen pathway), any reassessment and subsequent recalling of qualifications may then jeopardise the ability of the young person to retain their senior secondary certificate and compromise their eligibility to remain in their chosen pathway, originally due in part to the contribution from their VET program undertaken through their senior secondary certificate.

The proposal for independent reassessment prior to being issued with qualifications would also be problematic. The additional processes involved may result not only in extra financial burdens and time delays, but may also create a degree of uncertainty regarding outcomes. There may potentially be negative consequences for the learner, impacting on their ability to be awarded their senior

secondary certificate, in the event their initial competence in the VET units were to be overridden by the independent reassessment process.

If there is to be reassessment, could this be undertaken at the expense of the original RTO which has been found to be non-compliant or in some cases, fraudulent (using their compulsory insurance)? Again, is there the potential to create a lucrative niche market or specialist field for assessors? Has there been any impact statement conducted to determine the possible outcomes/benefits against the costs of this proposal if implemented?

Could more strategic approaches to improving the quality of assessment (and also teaching and learning) involve the development of good practice resources, tools and guides? As previously indicated, is there an opportunity to capitalise on and build on good practice resources previously developed and government funded (for example, within the school context, the National Quality Council (NQC) **Partnerships for VET in Schools** publication, which includes a section on assessment)?

Could consideration be given to opportunities for targeted professional development to build capacity in identified areas (as previously mentioned, considering avenues such as Webinars to enhance accessibility)?

## 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:

#### **Industry expectations and graduate capabilities**

The need for clarity, common and consistent terminology and shared understanding is highlighted in the national framework for vocational learning and VET delivered to secondary students, *Preparing Secondary Students for Work*. There would be benefit for all parties involved – not only employers, but also learners, in facilitating a common understanding of VET terminology, so that undue blame is not necessarily apportioned to poor assessment.

It would be beneficial if more information could be provided to ‘unpack’ individual qualifications, with the intent of better informing employers and learners of the content of qualifications and the difference between levels, and the relevance of training products to specific jobs. Enhanced understanding of the VET terminology would be beneficial. As outlined in the Discussion Paper, being deemed ‘competent’ in a unit within a Certificate II level qualification from a particular training product may have quite a different outcome from being deemed ‘competent’ in a unit within a Certificate IV level qualification, and being ‘job ready’ may be interpreted quite differently again, particularly from an employer’s perspective. Assessment of competence is within the context of the Training Package, with VET graduates not being assessed against job readiness. It may be that the intent and outcomes of the qualification are not widely understood, with potential confusion between competence and job readiness.

Is there possibly an opportunity to develop competency and job ready ‘checklists’?

Could the development of resources outlining VET graduate expectations be an integral part of and embedded in the development and redevelopment of Training Packages and/or as supporting materials, with the involvement of industry?

## 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:

#### **Revision of the Standards for RTOs for strengthened and more specific rules around the conduct of and evidence to support assessment**

Given that the Standards were only implemented in 2015, why the need to include more specific rules around the conduct of and evidence to support assessment? Does this proposal infer there is evidence that the current regulatory framework is already proving inadequate within this relatively short timeframe? Simply adding additional 'rules' will not necessarily ensure the compliance of under-performing RTOs and may risk increasing the regulatory burden and 'red tape' for all RTOs.

The elements that have a clear link to the quality of student outcomes are learning opportunities through access to and the use of equipment/services in authentic industry standard settings. This may be provided by the RTO, education sector or industry itself. So engagement with industry, including industry site visits for training and assessment purposes, would be important to support quality outcomes for VET students.

#### **Retention of all assessment samples for a longer period to improve the quality of assessment**

Retention of assessment samples for a longer period is not necessary, and it is difficult to see how this might guarantee any improvement in the quality of assessment.

Checking on the quality of assessments needs to be timely, which is before certificates are issued, not after. Ensuring the quality of assessment needs to be more formative and checked on an ongoing basis, supported by clear assessment guidelines.

#### **Focus of regulation moving to evaluating assessment outputs**

There should be more of a focus on improving the assessment practices and outcomes for under-performing RTOs, as revealed in audits, and minimising the regulatory burden on high-performing RTOs. If samples of students' assessment pieces were to be evaluated, then the Regulator should

have oversight of this process, pending sufficient resourcing. Any move to delegate this responsibility to an agency specialising in assessing students might have an associated risk of creating a potential 'growth industry' to support compliance.

**Other mechanisms to be added to the regulatory framework to prevent poor assessment**

The RTO or an external provider delivering the training on behalf of the RTO is in the best position to assess the student.

In the redevelopment of Training Packages, it would be helpful if greater clarity around assessment could be achieved, with input from industry as part of this process.

From the perspective of the school education sector, the advent of training-only RTOs could create additional complexities for the provision of VET. Schools may not necessarily have access to the resources (including financial capacity) required to engage with external assessors. In addition, a number of schools that operate under third party arrangements are located in rural and regional/remote areas where access to assessment 'experts' may prove problematic.

## 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:

#### Enforcement

The CECV does not believe that the focus of regulation should only be on assessment options. As mentioned in our response to Question 1, the CECV believes that the integrity of an RTO, especially in relation to assessments (e.g. RTO determining if students are competent or not competent) should be judged by the outcome of their audits carried out by the regulatory authority.

If an RTO cannot meet the Standards, that is they are non-compliant and have been shown to be repeat offenders, then these RTOs need to be removed from the system. Poor assessments may indicate that the RTOs are not meeting the Standards mandated by the regulatory bodies.

RPL goes to the heart of competency based training and VET qualifications. If external assessments are used, this would certainly complicate or eliminate the RPL process.

The CECV does not believe that assessment can be removed or isolated from the learning and teaching process of VET training.

The CECV acknowledges the dire consequences of inadequate assessment (RTOs granting qualifications to students who have been inadequately trained and subsequently assessed) being carried out by unscrupulous RTOs particularly in the health and security industries. However, the CECV believes that this could be eliminated by more regular audits (with a focus on under-performing RTOs) being carried out by the Regulator, supported by appropriate and adequate resourcing, and those RTOs found to be non-compliant being removed from the system.

### 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:**

##### **Cancellation and reassessment**

The CECV believes the cancelling qualifications of trainees is a serious matter and is not always the trainee's fault. In many cases they are victims of duplicitous behaviour on the part of the RTO which has failed to provide sufficient training and authentic assessment. If it is necessary to cancel qualifications arising from the RTO's inability to deliver a qualification due to incompetence or fraudulent intent, trainees should be given a refund for fees paid and the opportunity to redirect the funding to undertake further training and assessment with a reputable RTO.

A student committing fraud should not be given the opportunity for reassessment. They should lose their funding and should not be eligible for any refunds. They should be eligible to enrol in a different qualification and placed on a designated probation period.