Template for submissions to the *Quality of assessment in vocational education and training – Discussion Paper*

Key consultation areas

The Department of Education and Training (the department) seeks stakeholder input on the *Quality of assessment in vocational education and training – Discussion Paper* (the discussion paper). The paper covers the following broad themes to improve assessment in vocational education and training (VET):

Chapter 1: Foundation reforms

- ensuring the requirements for VET teachers and trainers provide the strongest platform for high-quality assessment
- ensuring those teaching VET skills are highly competent professionals with high-quality, contemporary skills in assessment.

Chapter 2: Reforms to the assessment of VET students

- assuring the quality of assessment through industry engagement with assessment review and control mechanisms as a gatekeeper before qualifications are issued
- ensuring employers have clear and realistic expectations of VET graduate capabilities which align with the assessment of students.

Chapter 3: Reforms to the regulatory framework

- improving the detection of poor quality assessment
- ensuring quick action can be taken against registered training organisations (RTOs) delivering inadequate assessment
- managing the consequences of inadequate assessment by removing invalid qualifications from the system where necessary and supporting students if this occurs.

How to provide feedback

To support the Training and Assessment Working Group to provide the Australian Government Minister for Vocational Education and Skills with recommendations on how to improve assessment, stakeholder consultations will begin with the release of the discussion paper in January 2016 and continue through to Friday 11 March 2016.

Respondents may provide feedback on some or all of the discussion paper's themes. To assist with the compilation and analysis of the views of all stakeholders, respondents are encouraged to provide feedback via this preferred submission template, with attachments as required. Submissions in alternative formats will also be accepted.

All written submissions to the discussion paper and queries on the consultation process may be directed to the department via email at trainingpackages&VETquality@education.gov.au.

All written submissions will be made publicly available on the department's website, unless respondents direct otherwise. See the terms and conditions for public submissions.

Submission details

1. Submission made on behalf of: ☐ Individual ☒ Organisation

2. Full name: Lee-Anne Phillips

3. Organisation (if applicable): Centacare Employment and Training

4. Please indicate your interest in this discussion paper: Not for profit RTO

   (i.e. as a student, VET practitioner, RTO, third-party provider, peak body, business, industry representative, regulator or other government agency or community member)

5. Do you want your submission to be published on the department's website or otherwise be made publicly available? ☒ Yes ☐ No

   a. If yes, do you want your name and organisation (if applicable) to be published alongside your submission, OR would you like for only your submission to be available and your details kept anonymous? ☒ Published ☐ Anonymous

   b. If no, please advise the department upon submission that you do not want your submission to be published or otherwise be made publicly available.

1. Discussion questions – RTO limitations:

- Is it appropriate for relatively large numbers of RTOs to deliver TAE qualifications or skill sets? Should the number be reduced to a targeted number of RTOs focusing on high-quality provision?

- Should RTOs be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors?

- Are TAE qualifications and skill sets so significant that evidence of competence should not—or cannot—be appropriately demonstrated via recognition of prior learning?

  - Is recognition of prior learning for TAE qualifications or skill sets granted with sufficient rigour to ensure the quality of student assessment? Should the practice be restricted?

- Are there opportunities to improve the assessment skills of the VET workforce through changes to the delivery and assessment of TAE qualifications and skill sets?

  - Should TAE qualifications and skill sets only be delivered by VET practitioners who can demonstrate a specific period of training and/or assessing employment history in the VET sector?

  - What circumstances would support a change requiring some VET trainers and assessors to hold university-level or higher-level VET qualifications, for example, practitioners delivering and assessing TAE qualifications and skill sets?

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

  - Should entrants to the TAE Diploma be required to demonstrate employment history in the VET industry before being issued with the qualification? Would this condition help to improve the relevance and validity of assessment? How long would this period of time be?

COMMENT:

RTO's delivering the TAE qualifications should have a proven record of high quality delivery. This may serve in reducing the number of providers.

In contrast reducing providers may have unintended consequences such as forcing candidates to study on-line, particularly in regional areas.

If the provider is a high quality trainer then I see no problem with this. I believe the problems with with the quality of TAE training in Australia is not restricted to people who gained their qualification from their own RTO.

Removing RPL as an option may well reduce the incentive of highly qualified educators moving into the VET workforce which would be a negative. Trainers/assessors from other countries with much to offer may also be dissuaded from joining the VET workforce, again another negative outcome. RPL is a legitimate method of assessment and should be rigorous, although maybe not as time consuming, as any other assessment method. Poor RPL practices may be at fault, but RPL its self should not be removed as a method of assessment.

Experience delivering VET qualifications seems a logical pre-requisite to delivering qualifications from the TAE training package. Mandated practical components may serve to increase the depth of knowledge a trainer/assessor has the chance to develop.

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:

Evidence suggests the development of assessment tools is a complex process. Consideration could be given to acknowledging this via placing this aspect of training and assessment into the diploma qualification only. However any changes to the system that require trainers and assessors to hold two qualifications – Cert IV and a diploma is not a practical response.

Decision makers should be using an evidence based approach, not a lobby group approach, to decision making.

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:

Whilst there would be benefit through the development of a national professional association however there is a danger that it would just add another level of compliance and duplicate services that already exist. Clear role delineation is an issue for anyone considering the formation of a national professional body.

In many cases VET practioners already hold industry registration. High level practioners working in the VET system, may well be active and financial members of other professional bodies and so any professional membership of a VET professional body would need to have clear benefits for members to ensure it was seen as beneficial.

There already exist a number of organisations that provide professional support to RTOs e.g. VELG, ACPET, WA's Department of Training and Workforce Development. Anything the government can do to reduce the cost of accessing professional development would be a good thing. At an RTO level we do not struggle to identify good professional development opportunities for our VET staff, rather we struggle to afford to send our staff to the quantity of training we'd like them to attend.

A national association's primary purpose should be educative, not an additional level of compliance.

4. Discussion questions – potential activities of a VET professional association:

- What activities would be most beneficial for a national professional association to undertake? For example, would it:
    - coordinate, approve or design professional development programs
    - develop capability frameworks
    - positively promote the profession of VET trainers and assessors as an employment destination and career path to attract professionals
    - act as an advocate and voice for VET trainers and assessors
    - interact with industry to respond to their emerging needs
    - register VET practitioners?

- What advantages would there be to conducting these activities at a national level rather than through existing professional development undertaken through membership of existing groups, or that which is currently organised by RTOs?

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

COMMENT:

A national body that designed and coordinated quality PD at low or no cost could be a significant tool in the attempts to increase the standards and standing of the VET workforce.

Capability frameworks which identify clearly what excellent practice looks like may add to the quality and rigour of professional discussion.

While the VET workforce remains fragmented and the majority of workers are on short term contracts it will remain a less attractive option for many than working in their industry.

An advocacy role would be an important role for any professional body.

Industry consultation is best undertaken by individual RTOs. However a professional body coordinating PD/Industry presentations from particular fields of industry may assist smaller RTO's. The professional body would need to be well resourced to undertake this work.

If a national body undertook registration of VET practitioners, this would need to replace the need for RTOs to gather and keep evidence of currency in VET and industry skills. Any registration that furthered the compliance burden for trainers and assessors and did not relieve the burden already on RTOs would not be seen as a positive development.

If these activities were conducted at a national level this may increase clear, consistent messages across the sector. Federally funding such an organisation may increase access for trainers and RTOs, if funding were adequate.

As noted in the previous response there are a number of organisations doing good work in this space. It may be that their good work is in part effective because they are not constrained by regulation and can quickly respond to members' requests.

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

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

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

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

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

COMMENT:

A – appears to add complexity, compliance and therefore cost to the existing system. The current providers of VET professional support tend to provide good quality advice and support, or RTOs cease to use them. Opening up this aspect of VET to greater regulation and the potential of opportunistic providers popping up to access government subsidies does not seem a step forward.

B – a simpler model, but less responsive and able to provide individualised services.

C – registration requirements for teachers are very different to those for VET trainers. A lot of work would need to be done for this model to work. The one group who would be advantaged by this are teachers who are already registered and work in the VET sector. This group can find it difficult to get teachers registration board acknowledgement for their VET sector work. If it is acknowledged that more qualified educators, who have a deep understanding of how people learn and how to create and administer assessments, in the VET sector would be a good thing then this idea should be pursued. At the least, work could be done with the teacher registration board to encourage them to acknowledge educators working in VET.

Charging membership fees direct to individuals is a problem in a casualised workforce. Charging RTOs, already stretched by reduced funding and a heavy compliance burden also is problematic.

The decision of whether a professional membership is mandated or voluntary depends largely on the purpose of the body. If it is to have a quality assurance and compliance role, then there is not much point having a voluntary membership. If it is more about continuous improvement and PD, then voluntary membership may be an appropriate model. This would be rather like the current situation where RTOs may choose to belong to groups and/or subscribe to updates that they determine meet their needs.

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:

Clearer definitions of best practice are helpful in all professions.

Wider publicity of these may assist in facilitating professional discussions, but if they come with further compliance requirements they will not be welcomed within the VET sector.

Education about the frameworks, their goals and aims, may be required to ensure the VET sector are able to fully utilise the resource.

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:

Broadly speaking enforcing the existing standards and ensuring good providers are allowed to get on with training and assessing is the answer. If the assessments of RTOs cannot be trusted then the entire model of VET in this country is broken and we should go back to the drawing board rather than layering another regime over the top of the existing system.

Industry confidence assessments would add cost, extend the length of training and create conflict within the system.

If industry have had the input into the training packages and RTOs are consulting with industry and responding to feedback this should be wholly unnecessary. The question of who should regulate is a very difficult question. What would be regulated by this group that is not currently regulated in the existing system? Assessments should already meet industry standards if the training packages have been created correctly and the RTO has met the requirements of the taining package.

Were external testing to be implemented results would have to be shared with RTOs for this to have any impact on improving training. An external agency that could override the assessment results of an RTO and not provide feedback to the RTO would have a very negative impact on training in Australia.

As is evidenced by the need for this discussion paper assessment is actually a very complex process. There is no guarantee that industry test assessors will have any more responsive and suitable tools than RTOs. In addition recognised conditions such as test anxiety may seriously impact a candidate's performance in a formal test. Reasonable adjustment also becomes much more complex if an external assessor does not know a candidate.

The concept of an externally administered test is inconsistent with the premise of the current system. By definition in a competency based system if you are not competent then you should not get a qualification. If there is evidence that there is widespread granting of qualifications to candidates who are not yet competent then the focus of inquiry should be on determining the reason this is occurring and addressing that failing within the 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?

- 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:

RTOs can have difficulty getting industry to engage in validation of assessments, so any changes in this area would have to be matched by industry commitments to facilitate greater resources for engaging with RTOs. The recent decision to dissolve the ISCs seems a backwards step in this regard.

A broad definition of industry is required to facilitate flexible responses, particularly in regional areas.

Again, the premise of this paper is that assessment is a highly specialised skill, which is not well developed in many. Therefore it is not reasonable to expect industry and employers to have the time or expertise to play a lead role in improving these processes. These groups can offer valuable feedback on the efficacy of training, but diagnosing any identified deficiencies needs to sit with the RTO's qualified staff.

Rather than seeking to build industry capacity in regard to training and assessment it would be better to look to build VET sector capacity in this area. Industry representatives involved in designing training packages would benefit from some understanding of how the elements they are putting in a package can and/or should be assessed, but primarily the focus of strengthening the understanding of assessment needs to be on VET practitioners.

- 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:

Validation is outlined in the Standards for RTOs 2015 and since the SRTO 2015 came into effect there has been a growing understanding of what is required and how to be compliant in this area. Regulating compliance against these standards, rather than creating a whole new regime, would be an excellent starting point. Validation should be part of an RTO's on-going continuous improvement and monitoring and review practices. Prescribing requirements beyond those already in the SRTOs 2015 would remove the flexibility to contextualise response for an individual RTO.

Linking funding to validation is already in place as an RTO who does not maintain registration will not be operating, and therefore not eligible to receive funding. Adding an additional compliance burden to demonstrate compliance with validation to funders as well as regulators is counter intuitive. It implies the regulator is not doing their job. In addition a separate body, the funder, coming up with

what they need to see in regards to validation, which may or may not be the same as the regulator would be a very unhelpful development.

In regard to notions of risk based assessment, this should be covered by the process of registration of an RTO to commence delivery and continue to occur through appropriately timed regulator visits. Already there are strategic industry audits occurring and the regulators have the right to audit different RTOs on differing cycles. If this is not occurring, then looking into the reasons for this failure would be a better starting place than creating a whole new level of compliance.

Identifying student cohorts who require additional assessment seems discriminatory. Identifying RTOs who target certain student groups and then conduct inadequate assessment should be picked up and acted on by the existing regulators. This raises the question of resourcing for the current system.

Re-assessment of qualifications should not be considered under the current system. In competency based training a person is competent or they are not. There is no room in the current model for a concept of competent according to one RTO that can then be overturned by another assessment system. This would undermine the whole concept of nationally recognised training and mutual recognition.

If an RTOs assessments cannot be trusted by the rest of the VET sector, then deal with the offending RTO.

10. Discussion questions – industry expectations and graduate capabilities:
• Is there a role for Government or industry to develop resources outlining VET graduate expectations for particular training products? If so, who should take this work forward?   – Do higher order issues need to be resolved regarding terminology such as 'competent' (as assessed against the training product) and 'job ready' (ready to undertake all aspects of a particular job)? Is there a common understanding of VET system outcomes?

COMMENT:

This seems a strange question to be asking just after the ISCs have been dissolved. In addition the Range Statements have been removed from units of competence. One can only hope the new SSOs will be able to take on this role and ensure companion volumes and other support documents are available and up to date to ensure RTOs can create the graduates industry is seeking.

Appropriate industry consultation practices, as detailed in the SRTOs 2015, should ensure RTOs are aware what competent and job ready looks like. Apply the SRTOs 2015 and adequately resource the regulators to ensure RTOs comply.

Professional development and clear support resources from the regulators around these terms may be a helpful outcome where regulators identify widespread misunderstanding or see best practise that is worth promoting.

If there is real evidence these terms are not understood then the TAE qualifications may need some content revision.

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

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

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

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

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

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

COMMENT:

The SRTOs 2015 should not be reviewed when, in jurisdictions such as WA, they have not even had 12 months to show their worth. The constant changes to regulation are exhausting all providers and add to the lack of stability in the system. Full implementation support and then regular auditing against the existing standards should be the focus of the next phase of quality assurance in the VET sector.

Any additional evaluation of assessment will increase the regulation burden. The existing regulators are the correct body to be regulating assessment. If in particular cases the regulator requires specialist industry expertise to assist them in their duties then they should be able to access this and work in tandem, however an additional regulator for assessment only again creates duplication, potential confusion and excessive demands on RTOs.

A training only RTO is an anathema is a competency based training system. The only place where such an idea may have some merit is with enterprise RTOs, if there is any evidence to suggest they are tailoring their delivery and assessment too much for their own circumstances and leaving graduates without the skills to work in a different organisation within the same industry. If such evidence exists then this may be a possible solution, however if an RTO (enterprise or otherwise) is delivering the full unit of competence then it should be adequate for the relevant industry. If an RTO is not delivering and assessing a full unit of competence then audit should identify this and the current regulators should be able to take action.

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:

Regulators acknowledging both their educative and regulative responsibilities is a helpful model. However RTOs who are consistently non-compliant and where evidence shows their graduates are not equipped for work need to be dealt with.

The regulators undertaking strategic industry audits and publishing these findings is very helpful for all RTOs operating within the same space.

- 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:

Where an audit determines inadequate assessment has occurred the response should be tailored to fit the situation. Training that is high risk should be viewed differently to lower risk training. The level of the certificate and the relative autonomy of the worker should also be a factor. Other relevant evidence would include the performance of the graduates in the workplace. Full high quality training may have occurred but not been supported by adequate assessment evidence.

There should be a period of time after which a candidate should not fear their qualification may be cancelled. Even if the initial training was inadequate it stands to reason that if a person has successfully worked in industry for a period of time and that their work has been acceptable that they are now competent.

The need a person has for their current job should not prevent the rescinding of a qualification if it is deemed that the training was really inadequate and that the skills the worker possesses at the time

of the investigation are also inadequate to safely perform their role. Support to undertake reassessment and or training should be provided.

This is a scenario where a subsequent workplace assessment may be able to give the evidence of competence required. This should not be able to be provided by the original issuing RTO unless there is significant evidence to show the systemic and/or personnel failures that resulted in the original problem have been resolved. A regulator's audit may clear an RTO for the re-delivery.

The candidate should not be required to fund their re-assessment, if in good faith they have funded and received training from a registered RTO.   Requiring all RTOs to contribute to a fund that covers re-training and/or re-assessing of candidates may protect students however it seems an undue impost of compliant RTOs.