Australian Government
Department of Education and Training

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

Key consultation areas

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

Chapter 1: Foundation reforms

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

Chapter 2: Reforms to the assessment of VET students

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

Chapter 3: Reforms to the regulatory framework

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

How to provide feedback

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

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

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

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

Submission details

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

2. Full name:

3. Organisation (if applicable): Charles Darwin University

4. Please indicate your interest in this discussion paper: RTO and Dual Sector Uni

    (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? ☒ Y 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? ☒ Y 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:

CDU does not support arbitrarily restricting TAE providers based on number of providers within a given market. If an RTO has demonstrated the capacity and capability to provide the TAE to the required standards, and is able to attract students, they should be entitled to do so. However,

CDU sees no conflict in allowing an RTO to enrol its own staff into its own TAE courses. In higher education, universities routinely allow staff to undertake courses (e.g. PhD or Grad Cert in Higher Ed) at their own institution. What is important is that the course is offered in accordance with the appropriate standards.

RPL is an entirely legitimate and appropriate method of assessment, provided that it is done in accordance with the required standards and ethics. CDU maintains that it would be highly problematic if an RTO was permitted to allow RPL for some courses but not others. There is no case for disallowing RPL in TAE that could not be equally applied to many other courses; conversely, there is no case for disallowing RPL that outweighs the appropriate role of RPL.

Regarding opportunities to improve the assessment, CDU supports that in the 2015 Standards TAE trainers are required to have the Diploma of VET. We recommend that this be further enhanced to read "Higher level qualifications **and extensive experience**". This will help to ensure the quality of the training provided by those certifying others to teach in the sector.

A practical component would be very useful to demonstrate competency. TAE40110 has a requirement to facilitate only 2 short training sessions (40-60m) which is inadequate.

TAE50111 Diploma of VET has a requirement to assess 20 candidates against a total of at least 50 units of competency and conduct a minimum of 100 hours of group facilitation. When properly assessed, this is a robust requirement.

However this is a very narrow approach. It might be more useful if there was supervised teaching as part of the course with learners participating in reflective feedback rather than merely ploughing through time and events as a measure of learning.

Experience would be better as an entry requirement rather than an exit requirement. It is difficult to complete the Diploma of VET if one is not training and assessing in the VET sector, so a requirement of some period of employment to enter the qualification would be appropriate.

Regarding the CertIV, CDU supports that a person complete part of the qualification prior to commencing trainer responsoibilities. However, it is a concomitant requirement to complete the Cert IV that one is actively engaged in training. This creates, ergo, a Catch 22 situation that needs ot be resolved.

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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:
TAE40110 is the entry level qualification for working in the VET sector. Designing and developing assessment tools is an advanced skill and one that takes time to learn and acquire proficiency. Entry level workers need the skills to validate existing assessments (as in TAEASS403B Participate in assessment validation), but should not be required to develop assessment tools. Senior/experienced trainers and assessors, who are required to develop assessment tools as part of their job role, should complete this unit as part of their ongoing professional development. It could be done as a skills set.

Regarding the basis for changing the TAE, Copernicus lived in an age when the majority of people thought that the universe revolved around the Earth. That said, no clearly articulated alternative to majority view and consensus is proposed in the discussion paper.

Regarding the proposition to have a professional association, the higher education sector has been debating this for years and not reached a resolution. In any event, professional associations are necessarily developed organically by the prospective members, and not imposed by external forces.

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:
CDu does not support imposition of a professional association for VET trainers.

The tenor of this discussion paper is more aligned to requiring a regulated register of trainers, perhaps akin to primary and secondary school teachers. CDU is of the view that this would create excessive burdens for unproven benefits.

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

- What activities would be most beneficial for a national professional association to undertake? For example, would it:

    – coordinate, approve or design professional development programs
    – develop capability frameworks
    – positively promote the profession of VET trainers and assessors as an employment destination and career path to attract professionals
    – act as an advocate and voice for VET trainers and assessors
    – interact with industry to respond to their emerging needs
    – register VET practitioners?

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

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

COMMENT:
See previous comments.

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:
See previous comments.

6. Discussion questions – capability frameworks:

- What can be learnt or applied from the capability frameworks that have been developed or are currently being developed?

  – Is there an opportunity to make better use of these frameworks, irrespective of proposals to develop a professional association?

COMMENT:
The IBSA Capability Framework has been designed so that it can be used independently by RTOs. It can provide a framework for identifying professional development needs and creating position descriptions across levels of expertise, generic work skills and specialist skill areas. The Framework includes a variety of management tools to assist RTOs in assessing current and future levels of capability, which RTOs are free to use now.

Awareness and uptake of IBSA Capability Framework appears to be low, and it could be better promoted.

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:

Assessment is a specialist activity. Indeed, this is why VET trainers are required to undertake the TAE (or have the skill set). It would be inappropriate for industry to conduct assessment as it could easily become disconnected from the training, the AQF level and specific requirements of evidence that are being sought after.

In any event, it is our experience that Industry is not particularly interested in the actual conduct of assessment. They are more interested in assessment strategy, methods, currency and graduate outcomes rather than the detail in individual assessment events

The idea of independent industry tests for some industries may seem, *prima facie*, attractive if we want to have industry standards certified. However, assessment is an important function of teaching. It is the job of professional teachers. Having industry assessing is highly subjective and unreliable and fraught with conflicts of interest. Involving industry is not going to improve the quality of assessment. If there are problems with assessing then it is the trainer's training and performance that needs to be addressed.

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:

Industry should play some role in pre-assessment validation but not in post assessment validation. The current Standards do not require industry involvement in assessment validation. It is the responsibility of VET practitioners to design, conduct and validate assessment tools not industry.

Yes the term "industry" could be amended to better reflect the broader range of legitimate stakeholder interests in the quality of VET outcomes.

CDU observes that most employers and industry representatives do not have the skills required for valicating assessment of student work. No one would question why they would. They are not educators and would likely have very little knowledge of principles of good assessment.

The job of training and assessing should be left to VET trainers and assessors. However, employers who employ apprentices have a responsibility to understand and implement training and assessment requirements and it would be useful to build more capacity with that group as third party verifiers.

The Standards 2015 sets out specifically how industry engagement should be conducted, and CDU is in agreement with these provisions. Industry and trainers benefit from Industry engagement in validating the TAS, but would find validation or a requirement to be engaged in actual assessment of student work unnecessary and burdensome.

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:

CDU does not support stratifying the sector for the purposes of independent validation. To do so would entail criteria (i.e.multiple levels of performance against standards) that would be confusing to students, trainers, employers and industry, as well as be administratively onerous and expensive. CDU believes that this matter is adequately covered by the Standards 2015.

Regarding an increased role for external assessment by industry, CDU believes that this is already adequately covered by the standards.

CDU does not support independent reassessment of high-risk student cohorts. Apart from the obvious equity considerations, it is the responsibility of the RTO to properly attend to the training and assessment needs of students, having regard for their various differences.

In the event of a student cohort complaining about assessment, the Standards 2015 pertaining to complaint management appear appropriate.

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:

Many employers are unlikely to read Training Packages and therefore woud have limited access to information about the skills and competencies of the VET Graduate. CDU suggests that the VET sector could consider adapting and adopting the Australian Higher Education Graduate Statement, which addresses this need.

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

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

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

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

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

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

COMMENT:

The Standards for RTOs 2015 provide clear rules around how and by whom assessment is to be conducted and validated. Additionally, Training Packages and Companion Volumes include detailed information on volume of learning, mandatory work placement hours, mandatory assessment hours, number of times a task must be observed, etc.

CDU does not support increased prescription. Moreover, increasing the length of time evidence is stored will improve the quality of assessment.

CDU believes that the responsibility for assessment as set out in Standards 2015 is where it correctly belongs – on the RTO.

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:

CDU believes that the new Standards 2015 have appropriately shifted the focus to validated assessment of outcomes.

CDU agrees that RTOs should be responsible to fund the costs of external reassessment.

RTOs that are found to be consistently non-compliant with the Standards are already subject to a range of regulatory penalties and interventions, including deregistration. That said, CDU believes that an RTO found to have egregiously misled students should be subject to civil or even criminal action.

CDU believes that, once findings in relation to non-compliance have been finalised (i.e. after any appropriate appeals process has been completed) the information should be made public on training.gov.au.

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 should occur only as a last resort, and only in the event that the underpinning assessment deficiency was found to have been systemic for that specific cohort.

Schemes for reassessment should be required of each RTO.

In the event that an RTO collapses (i.e. is deregistered or closes) then the students with active enrolments at that time should be referred to another RTO, with the same courses on scope and be entitled to apply for RPL on the basis of their learning to date. This should be at the expense of the deregistered/closed RTO, and the students should be regarded as first creditors for this purpose.