



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:
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 Yes No website or otherwise be made publicly available?
 - 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:

For Australia to remain globally competitive and to continue to be recognised as having a training system that produces graduates with the skills and knowledge required by industry, quality should be paramount through all parts of the system.

If the mechanism used to assess and regulate an organisation's capacity to be registered as an RTO is rigorous enough, then all RTOs in the system should be of high quality and producing high quality learner and industry outcomes. Strengthening the requirements for RTO registration, accreditation and increasing regulatory and enforcement powers of the VET regulators would achieve many of desired quality improvements desperately needed.

As this is not the case, and if it is not to change, the number of RTOs delivering TAE qualifications should be reduced and RTOs with a proven track record and industry experienced trainers should be engaged to deliver these qualifications.

At present, the TAE Certificate IV qualification underpins the Australian VET system as the minimum educational requirement for trainers. Given the importance of this qualification to ensure quality and validity, RTOs should not be allowed to issue this qualification to their own staff.

True competency based training should allow the recognition of the skills and knowledge of all candidates. It is inappropriate not to recognise and assess a candidate's prior learning because it is too hard to develop, undertake and administer Recognition of Prior Learning (RPL). If RPL is developed and administered correctly there is no reason to restrict it from a particular unit of competence or qualification. If a candidate has the skills and knowledge it should be recognised and contribute towards the achievement of the qualification.

In accordance with Training Package rules anyone delivering a qualification shall have relevant industry experience in the discipline they are delivering.

All units of competency developed in the National Training System are comprised of both on and off the job components. Therefore, it should already be expected, and common practice, that anyone holding and/or completing a TAE qualification (or any nationally recognised qualification) has demonstrated and been assessed against the on the job (practical) component relevant to their training. In the case of the TAE qualifications, training and assessment exposure whilst undertaking the qualification or as demonstrated prior experience should be mandatory and should already be occurring.

As Competency based training is not limited to 'time', rather achievement of competency, it is unnecessary to prescribe a definitive time requirement. Rather the assessor should, based on the evidence provided, make a judgement whether the candidate is 'competent' against each unit of competency.

Anyone training and assessing in the VET sector should hold, or be acquiring, higher level VET and/or university education qualifications. If we really value the VET sector and wish to maintain a quality VET system, career paths for trainers and assessors should be reintroduced by both public and private RTOs.

Whilst the Certificate IV TAE is an appropriate entry point it is not an acceptable end point. All RTOs should be encouraged to ensure the professional development of their staff through formal, higher level, qualifications in the field of education.

The vehicle for this already exists in Clause 1.16 of the *Standards for Registered Training Organisations (RTOs) 2015*. More intensive regulation of this Clause by the VET regulators is required.

Entrants to TAE Diploma should be required to demonstrate employment history in the VET industry before being issued the qualification. Again time should not be a consideration rather does the candidate have experience deemed appropriate by the assessor as being competent.

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:

As the Certificate IV in TAE qualification is the fundamental and minimum qualification for all VET trainers and we wish to increase quality outcomes, *TAEASS502B Design and develop assessment* should be included as a core unit of the TAE Certificate IV qualification. This will ensure that all trainers are equipped with at least the basic knowledge and skills in assessment design.

If *TAEASS502B Design and develop assessment* is to be included in the core of the Certificate IV, then it would be advisable to develop a unit at diploma level which builds on the Certificate IV level unit to deliver a deeper understanding of assessment design. Consultation for any unit of competency and/or qualification should reflect the views of the key stakeholders being industry participants and industry regulators, to ensure the unit reflects industry requirements.

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:

There is merit in establishing a national professional association for Australia's VET system. Irrespective of its scope and/or role, it would undoubtedly help raise the professionalism of the VET workforce.

As the national training system is a shared responsibility of the Commonwealth and State/Territory Governments, both levels of Government they should have a role in assisting the development and funding of such an association.

Barriers to establishing a national professional association would be:

- reaching agreement of the guiding principles of the association;
- managing its establishment;
- ongoing funding arrangements, particularly if shared between levels of Government;
- membership (i.e compulsory, voluntary);
- ensuring there are benefits of being a member so VET professionals see value and join the association;
- appropriate spread of members to include both industry practitioners and VET academics.

The most useful guiding purpose of a national association would be to facilitate the development of assessment requirements and moderate and validate assessment processes based on industry requirements.

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 more practical role of a potential national professional association could be to undertake and lead the facilitation of the development of assessment requirements and moderate and validate assessment processes based on industry requirements.

Additional to the roles and activities listed in the discussion paper, which should be included in the scope of the association, a national professional association who's scope also includes assessment moderation and validation would provide nationally consistent assessment tools and assessment expectations.

Ideal candidates to fulfil the role of coordination and management of professional associations would be Industry Skills Councils. Industry Skills Councils are not for profit organisations, have a long standing history and understanding of the VET system and its stakeholders, bipartite board membership and can bring and link all sectors of the industry together.

A national association will serve to minimise the considerable variance that exists between jurisdictions and RTOs within those jurisdictions. Some RTOs/jurisdictions place more focus on VET practitioner professional development than others. A national association would provide the mechanism for efficient and effective improvement across the board.

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:

Given the current VET environment, model A would be the most viable. This model would allow for professional associations to be accredited for specific industry areas and not fall into a “one-size fits all” approach. It would mean that each professional association could focus on and serve their sectors with an understanding of the sectors. This will allow for more focused professional development service provision including tailored moderation and validation of delivery and assessment.

VET professional associations would add value to the VET sector, as they will assist trainers to achieve determined standards, collaborate and better engage with industry and establish consistency across the country. Further, the associations it will give industry confidence that qualifications are being delivered by professionals with a thorough understanding of industry requirements.

Membership of a professional association should be mandatory and by way of the payment of a membership fee so as to not disadvantage anyone, membership should be open to both individuals and RTOs.

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:

Past performance of frameworks have not achieved desired outcomes, largely because they are either not applied as intended or not monitored closely enough to ensure they are being adhered to. Additionally, given that the Australian training system has been in a constant state of review/reform for over 20 years initiatives and frameworks implemented have rarely been given the time required to mature and be analysed properly.

It is critical that if an agreed framework is developed that it be properly implemented, monitored and allowed to mature to ensure desired outcomes can be measured.

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:

For a sector whose purpose it is to train and equip graduates with the skills and knowledge required by industry, it is paramount that Industry plays a major role in the development of assessment requirements and tools. This can be done in a variety of ways, as outlined in the discussion paper.

It is true that a “one size fits all” approach is not sensible and the degree of external assessment will vary depending on the nature of the industry. High risk and heavily regulated sectors require stricter, independent industry validated and moderated assessment events. Having nationally consistent, industry moderated and validated assessments gives industry and its regulators confidence that graduates are able to meet the standards required and set by industry.

In today’s market, where RTOs are under extreme and increasing pressure to be profitable, progression linked to funding and public RTOs burdened with exorbitant overheads, the practice of passing students not yet competent is rife. As a result, industry stakeholders are withdrawing from the VET system and industry regulators who once had full faith in the system are questioning capability of some graduates because of lack of quality and consistency.

Allowing industry to set which qualifications and or units of competency require an independent external assessment event (both theory and practical) would give industry buy in and confidence in the outcomes of the issuance of these identified units of competency and/or qualifications.

Although this model imposes an additional assessment event for the student and possible cost to the RTO, the benefits to industry confidence and consistency of quality outcomes outweigh the drawbacks; if we are really wish to have a quality system with quality outcomes.

Independent industry organisations should regulate these external assessment events and the results should be an integral component of the evidence supporting the RTOs determination of competency, or otherwise. Additionally, results of these assessment events should be made public at the RTO level.

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 have a major role in the validation of assessment. Further, to ensure inclusiveness in each instance industry should be defined and include industry practitioners, industry peak organisations and industry regulators.

The traditional trades have an established training culture developed over hundreds of years. Hence, in traditional trade areas, stakeholders have the skills and capacity required to fulfil the role of validating assessments because they understand what is needed in industry. This may not be the case for other industry areas.

The re-engagement of Industry Skills Councils (ISC) as VET professional associations would ensure engagement with industry is appropriately targeted and does not add undue burden on the system.

Additionally, re-engagement of the ISCs would allow Government to commence the VET professional associations 'on the front foot' as some ISCs:

- Are still operative as independent, bipartite bodies;
- Are still active within their response industry sectors and have maintained their network;
- Are respected amongst industry, and its regulatory bodies, through 20 plus years of service in the Training Package space.

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:

It is vital to seek industry's input into which qualifications and units of competency require validated assessments events.

A risk based assessment is preferred and to ensure national consistency, there is a need for independent external assessment by industry, particularly in areas of high risk and heavily regulated where incompetence will result in heightened risk to personal, public and/or equipment safety.

Consistent RTO assessment and requirements should be applied to all RTOs delivering the relevant qualifications and conversely, for fairness, the same requirements should be applied to each student. Individuals should not be singled out for sampling purposes.

Industry Skill Councils in partnership with industry organisations and industry regulators, would be the most appropriate bodies to oversee the assessment of qualifications.

Independent validation can only serve to improve the quality of VET provision.

Research across the globe indicates the performance of individuals and organisations improves following the implementation of external auditing/monitoring/examination/validation models.

Regardless of the key reason for its original implementation, the advantages of independent validation include:

- Identification of internal points of weakness;
- Provision of credibility to internal points of strength;
- Provision of unbiased expert recommendations regarding opportunities for improvement;
- Creation of confidence amongst stakeholders;
- A means of establishing and, over-time, heightening accepted 'benchmarks.

10. Discussion questions – industry expectations and graduate capabilities:

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

COMMENT:

There is certainly a need for Government and industry to work together to develop resources outlining VET graduate expectations for training products and to support the implementation of the training system.

Industry Skills Councils, given their historic links with industry, board membership, networks and deep understanding of the National Training System, are ideally placed to take this work forward.

Such work could also include clarifying and resolving common VET terminology so it can be clearly defined and therefore understood.

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)* are suitably prescriptive. It is the assessment of RTOs' compliance with the Standards that required improvement.

If the development and maintenance of a system characterised by quality RTOs is to be achieved, then the mechanism used to assess capacity and regulate them needs to be rigorous and examine their capability, capacity and resources to deliver and assess what they are applying to or are offering.

Measuring outcomes, not inputs, should be used to evaluate RTO achievement of desired outcomes and overall compliance. This could be undertaken by ASQA with the utilisation of industry experts.

At present, ASQA is not sufficiently resourced to undertake comprehensive audits of RTOs entering and operating within the Australian VET System. Similarly, ASQA cannot be expected to have industry experts on staff to conduct a truly meaningful audit of an RTOs delivery and assessment against the prescribed industry standards articulated in the National Training Package. It is for this reason that ASQA could benefit from the support and assistance of independent industry specialist organisations with expertise in the VET System, such as Industry Skills Councils.

Anyone operating in the national training system should be recognised as part of the regulatory framework, this includes, training only RTOs, assessment only RTOs and any other kind of Training Provider.

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:

To ensure the quality and consistency of the training system it is important to measure outcomes. To assist the move to such a model, the VET regulators should utilise industry experts at audits and initial registration.

Should an RTO be non-compliant, the VET regulators should have the powers to require RTOs to fund external reassessments. Given the amount of non-compliance and inconsistency of RTOs deliver and assessment across the board, the process for the VET regulator to act should be streamlined so that it is easier for action to be taken without creating undue burden on the system. In essence, RTOs who are not performing, or are repeat offenders, should be removed from the training system.

All RTOs, regardless of size, student numbers or any other characteristics should be treated as equal when being evaluated in the VET system.

Episodes of non-compliant and repeat offender RTOs in relation to assessments should be treated seriously and such findings should not be tolerated. Breaches in assessment undermine the entire system and should be dealt with swiftly. If an RTO cannot rectify the non-compliance within a suitable period of time then they should have the relevant qualification removed from their scope of registration. The same should be for repeat offences.

Offenders will be identified by demonstrated non-compliance with the standard audit template requirements as assessed by the VET regulator auditor, in consultation and cooperation with the industry expert(s).

The involvement of industry experts in the process will give industry and its occupational regulatory authorities confidence that its training partners are providing training and assessment in accordance with the prescribed standards as defined in the National Training Package.

Similarly, if the VET regulators and industry experts identify that an RTO is not delivering and assessing to the prescribed standards, industry and its regulatory authorities will gain confidence from this having been a 'collective' decision, as opposed to a 'Government only' one.

An additional benefit of this approach is increased transparency of, and therefore greater industry trust in, the process.

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:

Should an RTO not fulfil their requirements, repeatedly offends and/or does not rectify areas of non-compliance, then the powers of cancellation should be more frequently exercised. A risk analysis of the impact of the breach should be undertaken to determine the scale of the breach and if it warrants closure and any areas of personal, public and equipment danger should be treated as greatest risk.

Students impacted by any RTO non-compliance resulting in questionable outcomes or closure, should be required to be reassessed by an independent assessment (not the same RTO) involving assessors with industry experience holding the minimum VET trainer qualification (Certificate IV TAE) at the expense of the offending RTO. Powers of the VET regulator should not have time limits particularly if it risks personal, public and equipment safety.

To protect the participants in the VET system, a tuition assurance fund should be established and should be mandatory for all RTOs.