



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 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:

- 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?

The number of RTOs delivering TAE qualifications depends on their ability to meet standards that apply to the delivery of all qualifications and this is a matter for the appropriate regulator to assess. It should be assumed that 'high quality provision' applies to all VET qualifications being delivered in the Australian Training Landscape.

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

If the RTO is scoped to deliver the qualification which assumes they have met the Standards for RTOs', they should be able to issue qualifications to internal and external 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?

No, a special case is not justified for the TAE in relation to RPL. All industry sectors would make the case that their qualifications are significant.

- 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?
- *Unable to comment.*
- 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?
 - *Yes, VET practitioners who have contextualised experience over a period of time would assist with quality delivery of the TAE.*
 - 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?
 - *The current approach of an equivalent qualification in addition to current and valid industry experience should be sufficient. VET practitioners in all industries should be encouraged to undertake higher level study if possible but to make this mandatory would impose a significant impost on the training sector. Higher level study in Training and Education qualifications would help to build a greater understanding of learning theories than can be covered by the Certificate IV qualification.*
 - Should the TAE Certificate IV and/or Diploma require a practical component? If so, how long should the practical component be?
 - *A practical component or simulation is necessary to apply the learning. Unable to comment about duration.*
 - 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?
 - *Yes, this would deepen the learning and contextualise the relevance and validity of assessment to a realistic VET environment.*
 - How long would this period of time be? *2 years fulltime and an equivalent pro rata period part time.*

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:

- 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?

This unit is an important unit that should be included as a core in the Certificate IV. A new unit of competency is not required.
- 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?

It is important that some of the less vocal and influential stakeholders, eg regional training providers are given an opportunity to comment. The consultation needs to take note of the majority view as well as entertaining all arguments.

- Is it a better basis for decision makers to give strong weight to key stakeholders and the nature of the argument put forward?

As above.

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:

- 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?

A national professional association for Australia's VET system is desirable but there are possibly more pressing funding imperatives for Australian governments. It could be a fee paying membership organisation as is the case with many other Professional peak bodies.

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

Possibly a perceived lack of relevance and lack of clarity and consensus about its purpose.

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

To elevate the status and profile of VET teaching and learning by: improving relevant and meaningful ongoing professional development for VET practitioners, advocating to government, industry and the community about education and training issues and providing input into the development of future TAE Training Packages.

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:

- 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?

Please refer to Answer 3 above, I support all of the points above except 'register VET practitioners' which I think is an unnecessary requirement.

- 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?

A National organisation may create a more critical mass of people involved with VET training as well as enabling a constructive exchange of information about shared issues.

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

I am unaware of any National organisations that could currently effectively perform this role.

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:

- 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

Model B

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

To elevate the status and profile of VET teaching and learning by: improving relevant and meaningful ongoing professional development for VET practitioners, advocating to government, industry and the community about education and training issues and providing input into the development of future Training Packages.

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

The association would need to be sustained by Membership fees from individuals. This would require a strong value proposition for membership to be developed as is the case for all professional associations and would lead to a greater sense of ownership by the VET practitioner workforce.

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

Voluntary.

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:

- 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?

The IBSA capability framework is an excellent model for identifying required skills and knowledge for VET practitioners. They should be used in ongoing TAE Training package development and by RTOs' as a method of identifying ongoing professional development requirements for the VET practitioner workforce.

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:

- 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?

The range of options presented is comprehensive, a best practice model includes a partnership with the RTO with sufficient industry independence and could include the following:

High level input such as Industry engagement in the assessment requirements in Training packages to produce the required graduate competencies

Inviting industry Validation of assessment tools prior to delivery and assessment as part of the practice and culture of all RTOS.

Industry review of both formative and summative assessment decisions – possibly as a live exercise in collaboration with the RTO or on the basis of sample assessment decisions (moderation)

Evaluation of assessment tools and outcomes as a part of Industry advisory group meetings on a periodic basis as part of continuous improvement.

- 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?

The risk of externally administered tests is that they create of a parallel system that duplicates the current model and sends a message that the Training package development process, VET sector delivery and assessment practices and regulator activity does not meet the minimum standards required by industry. I agree with the comment that an externally administered test is inconsistent with the premise of a competency based VET system and therefore am unable to comment on the other questions.

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:

- 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?

The varied interpretation of industry reflects the diversity of the industry sectors in the VET sector and their level of engagement and understanding of the training sector. The RTO should define the 'Industry' stakeholders that they work with as part of their industry advisory process. Regulators are able to scrutinise the nature and validity of an RTO's industry representation during scoping and accreditation processes. Information about possible industry partners, eg employers, small business, self employed workers and peak bodies and associations and methods of engagement would be helpful to RTOs and VET practitioners.

- 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?

Employers and industry groups may not have specialist VET skills but they do understand the required capabilities of VET graduates and can be assisted by RTO partners to match the outcomes of assessment tools and processes with these required outcomes.

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

This could be done through explanations to industry during the validation process, involvement in RTO industry reference groups and work with Industry Advisory bodies such as Training Councils and ITABs.

- 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?

Standards for industry engagement should not be made more complex or onerous. The RTO has a responsibility to try and draw on a broad and diverse range of industry stakeholders who are informed and experienced in the VET sector to make sure that the burden is not inappropriate and the input is relevant and representative.

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:

- 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.

This is a valid proposal that could be contextualised to fit a range of training contexts.

- mandatory requirement to lift quality in specific instances, for example, where a qualification is identified as high-risk

Many qualifications already have licensing requirements to address the issue of risk. All qualifications should be identified as being worthy of high quality delivery and assessment

regardless of a 'high risk' risk assessment. This measure would also introduce contention about the criteria used to assess the risk.

- funding requirement, for example, independent validation of assessment could become a requirement for RTOs seeking to access government funding.

This measure has the potential to create a two tier system both within qualifications as well as inconsistencies in quality between publicly and privately funded training.

- 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?

This would communicate a message that the VET system is unreliable. The system has the mechanisms to create best practice delivery and assessment – the factors leading to the original poor assessment needs to be addressed.

- 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?

Disagree with the premise of the question so unable to comment.

- 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.

As above, the deficiencies at the root of the system need to be addressed. Students should not be penalised by being assessed twice. If necessary Training Package assessment requirements should be further articulated and strengthened to include required industry contexts.

- 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?

Unable to comment.

- 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?

This would undermine confidence in the VET sector and in competency based delivery and assessment which is highly effective when carried out according to the Standards required. High quality assessment and in particular the provision of constructive feedback should be seen as part of a holistic training process and should not just be an 'end of process' exercise.

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:

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?

This would be useful and the work could be undertaken by Industry Advisory bodies in each jurisdiction or National Training Package developers. Either agency will already have collected information about VET graduate expectations related to specific industry sectors.

- 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?

These terms have meaning to VET practitioners but there are differing interpretations and levels of understanding beyond the Training Sector. These terms need to be constantly redefined to both employers and to learners entering the VET space.

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:

- 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?

I disagree that the Standards for RTOs need to be strengthened but believe that the Regulator needs to adopt a more holistic and 'live' approach to auditing as opposed to approving documents and records. Assessment tools can include a range of modes that enable outcomes to be recorded, assessed and evaluated and the auditing process should be able to capture these. Poor assessment outcomes are often linked to inadequate training and abbreviated training programs. Regulation needs to address inconsistencies in the duration of learning for the same qualification between providers and seek additional industry advice about realistic timeframes in which competencies can be attained.

- 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?

Unable to see how this could 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?

ASQA auditors are trained to perform this role and have the option of working with industry reference advisors during the audit process.

- 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?

I don't agree that additional mechanisms are required rather that the current system needs strengthening and more rigorous monitoring.

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:

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

As per comment part 11 by including auditing practices that examine 'live' industry specific performance assessments prepared by the RTO as opposed to the current emphasis on documentary evidence and process.

- Which additional regulatory enforcement options should be considered in dealing with RTOs providing inadequate assessment? For example, should the regulator have an explicit administrative power to require a RTO to arrange and fund external reassessment, or should additional civil penalty provisions be created?

The current range of administrative and civil powers should be sufficient to deal with RTOs providing inadequate assessment however explicit administrative powers that require an RTO to arrange and fund reassessment would be useful. In cases where the provider has been deemed to be negligent or breached the terms of the enrolment contract by providing deficient training and assessment the matter should be referred to legal channels.

- 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?

The characteristics of the RTO should not be a factor, the significant issue is performance against the Standards and outcomes for the learners.

- 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?

RTOs that are repeatedly non compliant should lose their registration as they are disadvantaging students and undermining the integrity of the VET system.

- 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?

Unable to comment on the current situation but in principle believe that there should be maximum disclosure and transparency about regulator activity and findings. The proposition to broaden and hasten publication of review processes would be helpful to RTOs frequently describe inconsistencies in the audit/ regulatory 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:

- 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?

Unable to comment on whether more qualifications should be cancelled on the basis of the information provided but believe public safety should be paramount and if qualifications are being cancelled there is an argument for the RTO to be deregistered.

- 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?

This would constitute a context where the student should not be offered the chance to be reassessed.

- 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?

The individual could be offered an opportunity to participate in RPL if they have subsequently been working in the industry and possibly had on the job experience that may potentially offset the inadequate assessment.

- 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?

Yes

- Who should deliver the reassessment? Are there any circumstances in which it would be appropriate for the original RTO to undertake the reassessment?

It would be preferable for the reassessment to be delivered by an alternative RTO with no history of non compliance or inadequate assessment.

- 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?

The reassessment should be delivered by suitably qualified VET practitioners with a current TAE, a suitable technical qualification and industry currency and experience.

- 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?

Unable to comment on the mechanism or viability of this fund but in principle believe that the cost of rectifying reassessment or cancellation should be borne by the RTO responsible.

- What linkages with income support eligibility should apply for graduates impacted by any recall of qualifications?

Unable to comment but in principle believe that both domestic and international students must be financially supported through any process involving reassessment or cancellation of qualifications.