



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, Published Anonymous OR would you like for only your submission to be available and your details kept 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:

1. If RTOs are delivering and assessing correctly with high-quality provisions, there should not be a quota on the number of RTOs delivering TAE qualifications. The restriction of trade will lead to a monopoly.
2. RPLs – I definitely agree that the practice should be restricted, unless there is sufficient evidence to the contrary. In the majority of the cases, the submitted supporting documentation is very superficial.
3. Definitely the TAE qualifications and skill set should be delivered by VET practitioners who are able to demonstrate a specific period of training and/or assessing in the VET sector. In the past, the TAFE sector in NSW required all their teachers to enrol and complete an educational qualification at a University – usually postgraduate qualification. However in recent years, this requirement has been removed – probably due to budgetary constraints. The TAE Certificate IV and Diploma should definitely include a practical component of at least 12 months probationary period, where the trainer is assessed on their skills and ability to prepare very good lesson plans, prepare assessments, mark assessments, review and monitor assessments etc, and deliver the subject with excellent communication and listening skills. The requirement for employment history in the VET industry prior to receiving the Diploma is definitely required, at a minimum of 12 months full time employment in the industry. The current competency based approach is inadequate with many RTOS undertaking a “tick and flick” approach towards knowledge, skills and assessments; this eventually results with graduates receiving a poor understanding of their chosen occupation.

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:

1. There are obvious gaps with regards to the trainers and assessors differentiating between a Certificate IV and Diploma qualification under the AQF and developing assessment tasks at these appropriate levels. In particular helping the student to develop complex problem solving skills. The Design and Develop Assessment Tools unit is a specialist unit which should be at the Diploma level, which then indicates that the Certificate IV should in fact upgrade to a diploma qualification for the trainers and assessors. If a trainer is not trained at the Diploma level how will they adequately assess the students?

2. It is very risky to form judgements based on majority considerations. Particularly where there are only a few people as members of the deciding forum, the equity balance is difficult to uphold. Therefore it is preferable to listen to ALL stakeholders (not just key stakeholders), and make informed decisions based on the appropriateness of the argument presented. There should also be at the onset of all of these forums a requirement to disclose conflicts of interest – both on a personal and business level – this which will help to ensure the integrity and transparency of the decisions and add to the credibility of the final outcome.

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:

Yes – definitely there is a need to establish a national professional association for Australia's vet system. This is very long overdue. Professional standards underpin the successful operations of RTOs and in the property industry it is very obvious this is a missing crucial element. Government should assist in this area to help develop the professional skills and the funding of a professional association. Additionally, it was government who created the model of the RTOs, and therefore the government has a responsibility to nurture the growth of this industry.

Some of the barriers would relate to affordable membership fees for individuals; convincing trainers and assessors of the value associated with membership; developing the governance structure; appointment of members to steer and promote the professional association; introduction and maintenance of CPD;

The most useful guiding purpose would be to have a national uniform set of guidelines and professional standards for the VET industry, and to provide the industry with a moving vehicle for the future growth of VET education and options to create pathways from VET to higher educational practices and opportunities.

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:

The activities mentioned at item 4 of your discussion paper, are all very beneficial and should be implemented by the professional association. This would provide consistency and benchmarking nationally.

It is not advisable to utilise existing RTOs for this purpose – mainly because of the conflict of interest. An independent association would best serve the interests of the consumer (students and industry), and provide a very good transparent system for professionalism.

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:

The workability of the three models is very dependent on the industry.

For instance, under Model B, this concept would work very well for the property industry as there is one main peak professional association representing the industry; however Model A works best for the construction industry as there are a number of existing peak professional associations.

Model C is completely inappropriate. Teacher registration should stay with the schools only, and the VET sector should set up their own professional association. Also, combining school teachers and the VET teachers complicates issues such as award wages, and selecting an appropriate union due to the differing requirements for workplace conditions for school teachers and VET teachers.

Therefore the choice defaults to Model A.

The value of a VET professional association is closely linked to the perception of the long overdue professionalism for the VET sector and uniform standards and guidelines - all of this provides better services to the consumer.

Membership fees should be from both individuals and RTOs; with volunteers to steer discussion groups etc

The membership should be linked to the accreditation process for individuals and RTOs teaching in the VET sector. After all, what is the point of creating the professional association? A suggestion would be to provide a category identified as *Certified VET Teacher¹ (CVT)*, for those who are teaching in the industry – this category would be linked to educational qualifications; RTOs could be given their own category – and their membership being contingent on receiving approval to operate as an RTO from the appropriate governing department.

1. NOTE: Your discussion paper uses the terms VET teacher and trainer; VET trainer and assessor - it is difficult to determine which is the correct phrase?

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:

Where is the information relating to the framework?

Generally all frameworks provide a useful platform to build and expand necessary options such as governance requirements for a professional association.

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:

Approximately 8 years ago, and earlier, the TAFE sector held state wide external exams for the major core subjects required for a property qualification. This ensured consistency and rigour and assisted in maintaining the standard of knowledge and learning at a very high level. Some of these external exams were marked internally (i.e. the exam papers were returned to the students teacher for marking), and other external exams were marked externally (i.e. all exam papers were pooled and teachers marked papers at random). The external exams were prepared by an *examiner* and validated by an *assessor*. The external exams were held at the same time throughout the state.

Therefore, it would be very beneficial to introduce state wide exams – which can be administered through either the industries professional associations, the future VET professional association, selected TAFE institutions, Fair Trading and the relevant regulators.

A further suggestion is for training packages to mandate exams on nominated units. The notion of a competency based vet system is very cumbersome. A students competency should be determined through a variety of assessments, which can include group work, individual work and examinations.

Many students enter the VET sector with the aim of eventually gaining entry into a university degree course. The competency based model provides the student with a poor background to studying and academic rigour. During the last ten years, I have observed the marked deterioration of students, academic abilities and problem solving skills. Additionally their attitude of being allowed to “resit” or “resubmit” failed work appears to be an expectation rather than a privilege. Their attitude is very disappointing and the RPLs from a Diploma level qualification, being applied against subjects in a university degree course, have been minimised due to the observation that most students have no underpinning knowledge and only a superfluous understanding of those nominated topics.

With regards to validation, the VET sector should try to model the format currently used in many university courses which are associated with industry membership and accreditation requirements. In this regards, each industry sector should have a panel which is appointed on a voluntary basis and steered by the proposed VET professional association, the regulator (Fair Trading) and the individual

industries professional associations. The voluntary panel should at least consist of industry members, associations and educators. The panel would validate on an annual basis randomly selected exam papers, assessments, course notes etc and provide a written report on the outcome of the review. Additionally students current and past, would be interviewed and each RTO would also be required to obtain student feedback surveys to provide anonymous feedback. This feedback would be very useful for the improvement of the future delivery and assessment of the subject.

The travelling expenses for the accreditation panel would be paid by the RTO requiring the validation. A panel of eight to ten members with overlapping 3 year appointments would work well, with two to three members selected for visiting each RTO.

Making the results of the tests public at the RTO level would probably be a breach of the students confidentiality.

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:

Many of the questions in this section have been answered in the previous question. Therefore this information has not been duplicated. Below are the additional responses.

1. Industry groups definitely have the skills and contacts to assist in the validation role. Furthermore, as the VET sector continues to grow and more RTOs enter the system, it is important that each sector is steered towards sound professionalism. Currently, the reputation of the property industry is in disarray with many RTOs offering sub standard training and assessment.
2. Industry can be targeted by approaching the main professional bodies in each state and forming appropriate working groups to steer the professions and oversee the recommended changes. Many individuals would be willing to volunteer their time to assist in the establishment of better assessments and learning outcomes for the individual training packages.

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:

Some of these answers have been covered in the last two questions. Additional information:

1. Yes, any RTOs receiving government funds should definitely be required to undergo the validation process.
2. The models used at university provide a very good platform and contains flexibility for the necessary industry. (discussed at questions 7).
3. The validation should be mandatory for the property industry, where for example, real estate licensing requirements relate to consumer protection. Research I have undertaken indicates that the increase in white collar crime in property agencies is in part due to the lack of educational qualifications (i.e. inadequate knowledge, poor training etc), coupled with the lack of industry experience; therefore obtaining a real estate license under these circumstances, provides a very

good formula for immediate failure and fraudulently using trust funds to pay for the personal expenses required to operate the real estate office.

4. Either the regulator (Fair Trading) or the professional associations should take responsibility by requiring students to undertake an independent *viva voce* – prior to the granting of the qualification.

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:

Both the government and industry should develop resources which clearly articulate the expectations of the industry packages. Again, a working panel should be organised to inform those who are involved in the development of the training packages. It is evident a gap exists between the requirements and expectations from industry in comparison to the training packages being developed. Again I point to the property industry, where many of the units developed should be positioned within the diploma level and yet appear in the certificate IV level; this provides a very weak and superficial understanding of key important topics. Additionally, RTOs fail to understand the key differences between assessment and graduate capabilities at the certificate IV level and the diploma level.

The terminology “competent” is very misleading and has different interpretations. Vet system outcomes need to be clarified?

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:

1. Yes the standards should be revised; as discussed in the earlier questions an independent panel for accreditation to validate assessments is very much needed.

2. Accreditation should occur yearly (randomly selected subjects), and so the RTO would be required to retain students work only on an annual basis.

Again in answer to discussion question 11, please refer to the earlier answers with regards to the accreditation panel.

3. ASQA can oversee the panel, in conjunction with industry associations, however ASQA panel members lack the specialised knowledge required for the many varied training packages. Therefore ASQA would not be able to adequately validate RTOs in the mode which I have presented in my answers.

4. Training only RTOs would be very workable if there were state wide exams held; otherwise how will the assessment occur?

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:

1. Assessment outputs can only monitored with the accreditation panel mentioned in the earlier answers.
2. The regulator should have an explicit administrative power PLUS civil penalty provisions.
3. Characteristics of the RTO. This is a difficult answer without knowing more information about the RTO. For example is this a large RTO with regards to student numbers, but small size in regards to the scope of training packages offered. A matrix should be developed from the panels accreditation process to provide benchmarks. These benchmarks can be used to improve the performance of the RTOs.
4. Regulator should have the power to quickly manage RTOs who are offenders. With regards to repeat offenders there should be a fast procedure through the court system.
5. The Regulator should publicise the information at least quarterly and then also annual in an annual report (similar to the reports issued by Fair Trading NSW for the property industry).

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:

1. The qualification should be definitely cancelled, if there is an impact on public safety, or consumer protection. Otherwise, perhaps on a case by case basis initially, and then formulate guidelines.
2. Student fraud – definitely would not provide the opportunity to re-assess. This is also a criminal matter and should be referred to the police.
3. There should be no allocated time period. Each situation is different. Even if a persons employment hinges on the qualification, this should not be a deciding factor on its own. The entire circumstances should be assessed and if the student is not at fault, protection and assistance must be given to the student eg. additional time to complete units at another RTO.
4. Yes the RTO should pay for the reassessment. If the RTO has financial problems, this is another indication of poor business skills and the RTO should reconsider their future and maybe close down.

5. Each industry associated with the training package, should provide acceptable guidelines for those doing the reassessment.

6. Tuition assurance fund – this appears to be a good idea – however who will contribute to the fund? But this is another financial burden to RTOs.

7. The income support should be on a case by case scenario. However recalled qualifications (and the student has not committed fraud), should be supplemented by government in the short term only.