



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:

- a. The TAE is such an important part of VET quality control that my experience from having completed the current TAE and its predecessor, as well as having been a trainer in a previous program, leads me to the view that it would be wise to reduce the relatively large numbers of RTOs approved to deliver TAE qualifications or skill sets.
- b. We do not see why an RTO should be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors if the number of such RTOs is restricted to high quality RTOs.
- c. Is recognition of prior learning for TAE qualifications or skill sets granted with sufficient rigour to ensure the quality of student assessment? We do not have evidence one way or the other but the practice should be restricted so that the currency of current regulations and practices is not lost.
- d. TAE qualifications and skill sets should only be delivered by VET practitioners who can demonstrate a specific period of training and/or assessing employment history in the VET sector. The bounds on such a specific period are open to debate.

- e. 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? I hold an EdD (as well as a DSc) so I may be biased in favour of the higher-level HE or VET qualifications, but I would be reluctant to recommend any relaxation of current training and assessment requirements because this is where VET has definable superiority over the HE sector.
- f. The TAE Certificate IV and/or Diploma should require a practical component in order to be meaningful. Again the length of the practical component is less crucial than that the requisite competencies are satisfied.
- g. Entrants to the TAE Diploma should be required to demonstrate successful employment history in the VET industry before being issued with the qualification. This condition might help to improve the relevance and validity of assessment. One year in the VET industry after qualifying for the Certificate IV – although what “successful” means is a moot point in a CBA environment.

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:

- a. The TAE Certificate IV could be changed to include a core unit on the design and development of assessment tools but it is not immediately obvious what this would do that is not covered by the existing *TAEASS40XB* units of competency.
 - There is a danger in making the introductory units too good a fit for some occupations but not all.
 - This is done better now in the Diploma *TAEASS502B* unit, but it is not easy to argue strongly without more specific points of comparison.
- b. Majority considerations cannot be ignored, nor can one or two compelling arguments with profound insight. Our major feeling is that the Diploma should be constructed with sufficient complexity to attract a significant proportion of Certificate IV holders as part of their normal continuing professional development.
- c. Comments from a senior person from the construction industry (so very different from the design industry, particularly in the assessment of 'competence') when invited to discuss these questions with us focused on three relevant points:
 - "it seemed to me that there is going to be a reinventing of parts of the wheel";
 - "I always found that TAFE teachers, almost universally but particularly in construction, were 'afraid' of competency based assessment because it might show them up as being inadequate or incompetent (!) teachers."
 - "Industry, on the other hand, didn't like it as they could never really get their mind around the requirements for assessment instruments specifying quantification of the essential tasks. Unions of course came from the other angle that if workers were 'more' competent than others then they should be paid more!"

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:

- a. While the question of whether teaching or training is a profession or a craft has been around for as long as I can remember, and the formation of professional associations is to be commended and encouraged, the scale, scope, size and sustainability of such groupings in Australia can be problematic for long term durability. The comparatively large size of the population and small size of the territory in the UK are very different from those in Australia, nevertheless the currently emerging College of Teaching there is worthy of scrutiny as it promises to bring together parts of the education profession which have been divided, or at least separated, in the past.
- b. A national professional association for Australia's VET system could be either for institutions or for trainers to fit in with Models A or B; that is,
 - either for TAFEs and private RTOs (with a nominated representative from each member RTO) on the one hand, or
 - for individual VET trainers on the other hand (wherever they are working). If the former, then the nominated RTO representative could be responsible, in some sense, for the professional formation of staff at their institution. If the latter, it would need some seeding finance to get established through a planning stage and the first two years of operation.
 - It should foster continuing professional development of trainers and interact with pertinent international organisations.
 - If it is only a networking association it could become a special interest group of an existing organisation such as the Australian College of Educators. This makes some sense in that increasing numbers of high school students are undertaking some VET certificates.
- c. The barriers to establishing a national professional association would be in answering the basic questions:
 - what is its purpose? and
 - why would anyone want to join it (unless it is in some sense compulsory)? (Also see our response to Question 13.)
- d. The most useful guiding purpose of a national professional association would be in establishing, maintaining and developing VET trainers to the highest possible international standards along the lines of Engineers Australia. It could be the gatekeeper to permanent entry into the training profession. To qualify for, and retain, the title of 'Chartered

Professional Trainer' (CPT) should be no mean feat and a source of pride (and higher salary) for the individual trainer and a mark of excellence for the VET sector.

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. This has been partly answered in our response to Question 3 of which 3(c) is the hardest to answer (and the easiest to avoid). As indicated there 'Chartered Professional Trainer' might be the way to go as registered VET practitioner does not sound professional enough (and does sound somewhat like the person who looks after my cat and dog).
- b. Our preferences are for continuing professional development (cpd) responsibilities and resulting activities to be at a national level for several reasons:
 - economies of scale;
 - we are talking about Australia – not just a collection of jurisdictions;
 - our staff move around Australia;
 - more and more tertiary education issues are national rather than regional.
- c. TAFE Directors/ACPET/Australian College of Educators/ACEL - though each seems to limit its constituency at times, perhaps by default rather than definition.
- d. As mentioned in our response to Question 3, the emerging UK College of Teaching may provide an organisational model which would be worth exploring if a decision is made to establish a new professional body, as in the recent media release:

Leading London Headteacher calls for the teaching profession to self-regulate and resist 'detrimental initiatives'

Joan Deslandes, a leading Headteacher at Kingsford Community School who has been named as one of London's 1000 most influential people for her work in education by the Evening Standard three times, is calling for teachers to be empowered to self-regulate the teaching profession.

Lauding the current and previous governments' dedication to the setting of rigorous teacher standards and raising the bar, she expressed her firm belief that the teaching profession was now at a point where it was able to govern itself, whilst raising concerns that social mobility

had been hindered by ‘initiatives underpinned by political dogma’ rather than educational research.

With a career in teaching spanning 30 years, Ms Deslandes shared her insights at *The Big Staff Meeting* event with over 150 members of staff, where she rallied teachers to debate the College of Teaching, the new independent chartered professional body for the teaching profession.

Joan Deslandes, a Founding Trustee of the College of Teaching, said: “Education is a vital vehicle for social mobility and teaching. The engine of that vehicle should be run by the specialists. No matter what people may say, teaching is a specialism, and one that requires the expertise of teachers and education leaders in both the classroom as well as in policy making.

“In recent years there has been a great deal of excellent research in education which has resulted in a pool of teaching talent that has never been greater. However, the politicisation of our profession over the decades has meant that, for too long, social mobility has been hindered by abortive ideological experiments. Under successive governments, innovations in teaching and learning have been introduced thick and fast. Some of these have benefitted both pupils and the profession greatly. However, these have at times come sandwiched between detrimental initiatives or supported by a selective reading of the evidence base.

“The move towards a self-regulating College of Teaching is testament to the work of governments in improving the profession to such a point that an organisation like this is now a viable, and I believe necessary step to take for the future success of education provision in this country.”

Ms Deslandes continued: “The wealth of teaching talent and educational know-how in the UK is substantial and yet we are seeing teachers leave the profession in droves. Retention of staff is key to ensuring that a British education remains highly prized. Implicit within this is maintaining teacher morale, something which it is abundantly clear cannot be achieved when policy can be devised and implemented independently of educational research and teacher expertise”.

“We are now at a stage where our country’s expertise in education supersedes the ideological constraints of party politics and in order to truly progress, teaching should be allowed to govern itself. It is time for change and I applaud the current administration for their understanding of the need to move towards a teacher-led education system and for recognising the huge potential of an independent College of Teaching.”

Teachers from Kingsford Community School have taken part in *The Big Staff Meeting* consultation to help determine the future membership of the College of Teaching. The College of Teaching is committed to improving the education of children and young people by working to enhance the status of teaching and recognise excellence. By giving teachers equality of status with other professions, the College will embody a deep commitment to supporting teacher development, advancing high professional standards and promoting evidence-informed practice.

The College will be independent of government and membership will be entirely voluntary. Teaching is a standout example of a major profession that has, to date, had no independent professional body. The absence of such a body has resulted in governments defining

professional practice over the years, disempowering the profession and affecting the standing of teaching in society.

Teachers and schools in London, and across the country, can take part in *The Big Staff Meeting* by taking the survey in the lead up to February half term at www.research.net/r/N3L3KMC. Results from the consultation period will be made available from mid 2016.

Further information is available at: www.claimyourcollege.org/big-staff-meeting

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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:

- a. B>A>C as described: B because of its simplicity without the Regulator's involvement; C has the problem that even though increasingly there is overlap at the stage of secondary education, the VET practitioner's requirements are different in nature and scope from those of the high school teacher.
- b. Such an association could add prestige and pride to the VET sector, particularly if it had an officially endorsed role in the provision of cpd for VET practitioners to maintain government recognised registration.
- c. Fees from individuals (modest) and from RTOs (proportionate to the number of EFT VET practitioners on their books).
- d. Mandatory - otherwise it will become meaningless (sooner rather than later).

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:

- a. A common and consistent terminology is to be welcomed!

- b. The framework's levels, domains and skill areas should clarify conversations and communications within Australia.

- c. How well will they match current international discourse?

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:

1. While the micro-approach of competency based assessment ensures that all aspects of a course are covered at some stage, there is also the macro-approach of the simple question of what do you expect of a person at each AQF Level in order to employ them. That is, there are two levels:
 - What basic skills are needed at each level just to get a job?
 - What knowledge base do the trainees have in order to be trained on the job (where most useful training actually occurs in practice)?
2. Industry-endorsed, externally-administered macro-tests are a practical alternative to ensure that VET graduates are competent for a particular industry.
 - A benefit could be that it is in the interests of local industry representatives to ensure that local RTOs are sensitive to local needs.
 - A drawback could be that small companies in small towns might not be able to spare people for this sort of task, and that big companies in big cities may either think that there are plenty of others to do the task, or spare only those employees of least value.
 - For these reasons, it may not be fair to mandate them immediately but rather to broadcast them as examples of best practice for the industry, the trainees and the RTOs.
 - The tests could be regulated by local area networks with delegated authority. These networks could be enriched in their practice if there is sufficient continuing professional development.
 - The test would be of more use if it identified gaps.
 - Competency based assessment would be enriched in such a process since it would be identifying real gaps which might have been 'papered over' during the original

assessment or missed due to sampling errors in the original assessment or which may be the result of 'erosion' over time.

- The results would be passed on to the trainees so that identified gaps can be filled either at the RTO or within the work environment for the mutual benefit of all parties.

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:

- a. People in a given industry know what is meant by the term 'industry' even if they might find it hard to identify what constitutes an industry in another field where, for instance, the term 'competence' in construction can have quite a different connotation from the same term in fashion design.
 - 'Industry' is too vague and too hard to define unequivocally across all industries, but practitioners within any given industry generally know what they mean by the term.
 - The difficulty in validating assessment too stringently in any one industry is not so much about agreement on fundamental knowledge and skills so much as in practice 'competence' in a manufacturing company in a given industry might refer more to reliability but in a design company within the same industry it might refer more to flair.
- b. Not all employers are equally successful as business people, so it follows that issues of validation by employers are not generally transferable even within one industry, particularly in the creative and performing arts.
 - Nevertheless, employers know what technical skills they need to achieve their goals.
 - If there is a weakness, it is the intangible skill, in a competency sense, of being able to 'read' people in the selection of staff. This goes beyond technical skills: the sporting analogy is that a star team is more consistently superior to a team of stars.
- c. In order to build industry capacity, competence and capability for involvement with training and assessment in a formal sense, it would be necessary to engage industry training representatives in serious ways at senior levels in any professional organisation that might emerge from this discussion.

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:

- a. As with our response to Question 8, a big issues is that the variability between and within industries can be problematic in practice, which is why a professional society of some form could be a forum for:
 - monitoring safety issues;
 - protecting public money;
 - sharing of good practice across industries;
 - fostering best practice within industries;
 - answering questions of evaluation and evidence.
- b. The reputation of the VET sector and the protection of the public are complementary and paramount.

- Independent validation of assessment processes should be a requirement for initial access to public funding.
- Thereafter, random audits would help the sector without overburdening good RTOs.

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:

- a. Graduate expectations already exist in various forms – various because of the changing of various authorities over recent years.
- b. Following on from our response to Question 2, ‘competent’ in practice is actually a fuzzy concept.
 - One can get four opinions on what constitutes competence in a given industry from three different representatives of that industry.
 - There is ‘job ready’ competence for entering the workforce in any given industry, but there is an ‘increase’ in that competence for maintaining employment and developing knowledge and skills through continuing professional development in order to keep adding value to the employer in particular and the industry in general.
 - “Increase” is why competence is a fuzzy (or grey) concept rather than a black and white fixed set, since adaptation to changing needs from emerging competition and technological improvements is essential to survival, let alone success, in any industry.

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:

- a. We cannot see how retaining assessment samples would in itself have any effect on the quality of assessment.
 - The quality of assessment depends on the quality of the assessors and the quality of internal and external moderation processes.
- b. More requirements for external moderation of assessment processes, which responsible RTOs already carry out, is an essential condition for establishing and maintainin a reputation for quality.
- c. A professional VET industry association could also foster external benchmarking.
- d. Training-only RTOs would also add value to the sector if they were actually training-intensive.

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:

- a. Perfection takes infinite time! This does not mean that one accepts mediocre results from poor assessment, but it implies that if the VET sector is to have a self-regulating professional body, then there needs to be an appeals committee to help those RTOs which need help and to refer those which will not or cannot meet reasonable requests for improvement to ASQA.
- b. The 'Royal' medical colleges have appeals committees to ensure the quality of practice in a particular branch of the medical specialism and to insure the safety of patients.
- c. There would be more transparency and disclosure if there were to emerge a light touch requirement for external moderation.

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:

- a. The burden of proof of inadequate assessment is immense in so far as even the best assessment practices involve sampling. Every sample involves sampling error even in the context of competence.
- b. ASQA's current powers would seem to be adequate, particularly if they are mediated by an appropriately empowered professional body.
- c. It might help in the mediation process at the level of individual trainers if this hypothetical organisation had the authority to award (and remove) the status of say "Chartered Professional Trainer" (CPT).
- d. The legal implications for individuals as citizens and RTOs as corporate entities require more expert advice so that the reputation of the sector is enriched without infringing the rights of citizens as citizens (which includes the possibility of making (and remedying) innocent mistakes since none of us is infallible or impeccable!).