



## 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](mailto: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:

- Competition is a good thing. It provides choice to consumers, increases flexibility and drives innovation. Reducing numbers or capping the number of those who can deliver certain qualifications does not guarantee higher quality. In fact, historically, the reverse is often true. We agree however that there should be a focus on quality by those providers charged with the responsibility of delivering and assessing TAE. Although, this is already something which is undertaken as part of the on-going registration process. Admittedly, it does make it easier to monitor and audit with less providers, but this could be at the expense of the learner experience and the industry needs. There are already measures in place which limit the participation of new TAE providers as well as additions proposed for the required experience and skills for assessors which, if approved will add robustness to the sector. These are contained in IBSA's case for endorsement for the new TAE Training Package.
- We believe that it is still important to let the marketplace dictate what is useful and relevant, whilst the regulator should continue to monitor, support and implement strategies to ensure that nationally approved quality standards are met by all providers, as is their charter.

- We are concerned at what criteria would be used for identifying the reduction of TAE providers. This could create access and equity issues if handled in an arbitrary way and could in fact unfairly favour larger providers over the more agile smaller providers who have become the lifeblood of this industry.
- Another concern about reducing the number of RTOs who can deliver TAE is this could result in less RTOs in rural communities. It should be ensured that learners in remote areas are not disadvantaged and still have suitable access to RTOs offering these qualifications/skill sets.
- In term of the question, “should RTOs be limited from issuing to their own staff”, we believe that there should be no such restrictions. Whilst there is an ethical question, we believe that if the organisation is registered and has the necessary systems and processes in place to carry out the training and assessment listed on their scope and they have been found to be compliant at audit, then there should be no impediment to who they issue to. If not, the implication is that we don’t trust these organisations to “do the right thing” for their own staff as compared to other clients, which is a sad indictment on our industry.
- There should also be not restrictions on an RPL pathway for TAE candidates, as this denies natural justice. If someone can demonstrate that they have all the requisite knowledge and skills required for the qualification and have sufficient evidence to support their claim for competence, they should be granted RPL.
- Regarding the experience and qualifications required by TAE trainers, we have the following things to add:
  - We agree that TAE should be delivered by experienced trainers in VET.
  - There is no real need to have a University Qualification as a presenter/assessor to be a credible, but Diploma qualification would be preferred.
  - We believe the existing arrangements for practical application are robust enough for a practitioners. We see the Certificate IV as an entry qualification which provides the foundation knowledge and skills to be an effective trainer/assessor. In turn, graduates build and extend these skills on the job, post-training. The best analogy is a Driver’s License – where you are not an expert when you are issued, but it has been confirmed that you possess the minimum knowledge and skills to perform the role. With time and experience, you will develop into a more capable driver, just like Certificate IV in Training and Assessment graduates will become more well-rounded trainers/assessors after plying their craft on the job over many years.
  - Perhaps more detail on the specifics on what we are looking to see in a “quality performance” could help focus the preparation of our TAE graduates.
  - TAE Diploma entrants shouldn’t have to have prior VET industry experience before enrolment, as there are already requirements for 100 hours of group facilitation and 50 assessments to be completed on VET candidates. Additionally, the condition will not help to improve the relevance and validity.

## 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:

- The Unit TAEASS502B should not be included as a core unit in the Certificate IV in Training and Assessment and should remain as a specialist unit at the Diploma-level. To include it in the Certificate IV would be a huge overkill, as it was under TAA40104. Extensive consultation has occurred on this issue already and based on the draft materials presented by IBSA, it is clear that the feedback shows that it would be better to either develop a new unit or extend the existing units to include more detail on basic assessment tool development.
- In terms of making updates to TAE, if industry backs it we should listen to that consultation. However, if the government/regulator believes it is for the greater good of our industry, as our leaders, they should have the flexibility to make those difficult choices.

### 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 national professional association would support the credibility of practitioners in our sector, create a voice for trainers and assessors and improve important continuing professional development (CPD) activities.
- The role of such an association should include the setting of the CPD agenda as well as management of the accreditation process for a panel of CPD providers. We don't believe it is in the best interests of the sector to have a narrowing of CPD options for practitioners and RTOs. (i.e. we don't feel the CPD is only offered by the professional association).
- We believe that there is a role for the Federal Government to fund an association until it could become self-sufficient.

#### 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 of a VET professional association should include:
  - CPD, practitioner advocacy, promotion of the industry and the profession, coordination of industry engagement and assessment validation activities.
  - The professional association shouldn't have their own programs, but be involved with setting the agenda/framework and then accrediting/approving CPD programs and providers.
  - Existing membership groups should be evaluated (e.g. ACPET, AITD, VETnetwork, Velg Training etc.) However, the merits of a new, fully-independent professional association should also be considered. We would support a competitive tender process to establish the association.

## 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:

- We would prefer a Model B (to include approving CPD programs).
- The value of a VET professional association is two-fold. Firstly, it would help to elevate the profession in the eyes of employers. Secondly, it would assist in building confidence in VET as a brand by consumers.
- There should be multiple funding sources for the association. Initially there should be seed funding from the federal government followed by fees collected via membership and accreditation of CPD providers.
- There should be a transitional arrangement from voluntary membership to mandatory membership over 3-5 years.

## 6. Discussion questions – capability frameworks:

- What can be learnt or applied from the capability frameworks that have been developed or are currently being developed?
  - Is there an opportunity to make better use of these frameworks, irrespective of proposals to develop a professional association?

### **COMMENT:**

The IBSA VET Practitioner Capability framework has a good combination of task and people related skills and could be administered by a new 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:

- There are two very simple things that can be done to improve the quality of training and assessment within RTOs.
  - 1) A Lead Assessor in every RTO. Every RTO should have a suitably qualified and suitably responsible “Lead Assessor” whose role it is to ensure consistency and protect the integrity of assessment. In essence, they would act as the gate-keeper for assessment tool development, provide guidance and support to other assessors in conducting assessment and making judgements and would coordinate assessment validation activities.
  - 2) Auditing of training delivery. The current auditing rigour tends to focus more on assessment than it does the training component. We believe that it is equally critical that RTOs have external scrutiny over the quality of their instruction. Put simply, if you improve the quality of the trainer, you will improve the quality of the training and this will have a profound impact on the success of students and by association, our industry.

## 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:

- Assessment Validation by industry is complicated as they provide largely unqualified responses when relating to VET training products. However, they can provide valuable feedback about whether our candidates are fulfilling the roles they should be able to as a result of the VET qualifications/skill sets/units of competency undertaken.
- The validation by industry should focus on whether the assessment mimicks the contexts and conditions required in the workplace and whether the templates, terminology and equipment used in assessment mirror that which is required by employers.
- A VET professional association could act as a conduit for connecting with RTOs.

## 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:

- Validation of assessment by industry can often complicate the process as industry are not always aware of the specific requirements within the validation process. The move towards industry engagement as a separate process to validation of training and assessment strategies and practices is a positive move, as it shows that validation requires an understanding of the Principles of Assessment, Rules of Evidence, Training Package requirements etc.
- Within the validation process there needs to be a balance between accountability, independence and practicality. Therefore not all qualifications should have a requirement of independent (external) validation, however those qualifications that are deemed as high risk should definitely require independent validation.



## 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:

- NCVET has undertaken quite extensive studies already regarding employer expectations. If any further work needs to be undertaken, NCVET would most probably be an appropriate organisation to undertake this.

## 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:

- Any changes in evidence retention will add burden to RTOs. We are not convinced that increasing the retention of evidence will improve quality. It is more likely to impact adversely on those RTOs who are doing a good job and those who are not committed to quality will always find a way to circumvent the rules. The answer is found in more regular auditing of high-risk RTOs or those with a history of non-compliance. This of course, is already within the regulator's scope of operations.
- Is 6 months sufficient for retention? Perhaps 12 months would be a more appropriate time frame and it would enable a more realistic auditing schedule for the regulator.

## 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:

- Whatever the regulator needs to regulate, they should have access to. If we are to build a strong and sustainable sector we need a regulator who can provide both guidance and support and have the ability to intervene to protect the consistency of student outcomes and integrity of the VET system.
- There should of course be transparency in actions and the communication of same. However, we are comfortable with the current arrangements in place.

### 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:

- The regulator should work with the relevant RTOs involved to support the reassessment process.
- Where a provider, no-longer exists, we propose a government guarantee whereby the candidates can get access to reassessment at no additional cost.
- If an assurance scheme was to be established it should be based on risk/exposure rather than company turnover (which is often used as the base for calculating premiums).
- There should be more choices in assurance schemes, otherwise the costs will continue to rise.