



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:

The National Fire Industry Association does not support a limit on the number of providers for the TAE qualification PROVIDED that there is a compliance and monitoring regime that ensures a quality outcome for TAE holders.

As well as RTOs, many industry personnel use the skills of a TAE, (supervisors, workplace trainers and HR personnel). Restricting its delivery to a few RTOs may have the effects of decreasing competition, reducing access to the qualification and increasing prices, without doing anything to improve quality outcomes.

An RTO delivering the qualification to its own staff is not an issue *if* the compliance and monitoring regime addresses quality of outcomes (rather than paperwork audits).

It is entirely appropriate for learners to be able to complete all or part of a qualification or skills set, including the TAE suite of qualifications, using RPL processes where their current skills can be sufficiently demonstrated, against the performance criteria outlined in the units of competency and the evidence has been confirmed by the RTO.

The TAE qualification should contain detailed performance criteria that clearly outline the expectations of the level of skill and the contexts in which that skill should be able to be shown.

There needs to be clarity as to what constitutes the critical aspects of the evidence of competency included in the training package to ensure that trainers have a clear understanding of what level of skill is expected from learners. This is the basic premise of Vocational Education and Training in Australia and should be seen as the base standard of professional practice in delivery of all qualifications, not just the TAE suite of qualifications.

Accredited TAE courses should be delivered by experienced trainers holding a higher qualification such as the Diploma in TAE.

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:

It is expected that all VET trainers will be able to effectively develop assessment tools that clearly meet the required aspects of evidence against the performance criteria outlines in each unit of competency. A core unit on the development of assessment tools and strategies should be a fundamental component of the Certificate IV qualification.

The training package development processes must be industry lead, with all stakeholders having an opportunity to have input on content and approaches. However, the industry focus must address the entire skill requirement of a training package and not reflect just “narrow” focus input.

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:

No

No barriers – if the practitioners want it, they will develop it

There is no guiding purpose.

If however, the question is the consideration of a Licence for a TAE holder, that would require an audit and compliance regime for the actions of the TAE holder, with the possibility that the “licence” being revoked if appropriate training and assessment was not provided by the TAE holder, then NFIA would be happy to participate in this as a discussion. This would place requirements for performance outcomes on the individual as well as the RTO and “tick and flick” would impact directly on the Licence Holders ability to carry out their profession.

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:

This issues does nothing to improve quality outcome of the TAE and confuses the debate. It is tinkering at the edges rather than addressing the real issue. Invest in the audit compliance scheme for quality outcome.

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:

NFIA sees no direct benefit of this proposal .

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:

Capability Frameworks can play a role to assist RTO's in their review of organisational strategy and in prioritising their skills requirements to achieve.

Managers of trainers and assessors can use the Framework to identify staff capabilities.

However, Capability Frameworks in and of themselves are guides, intended to facilitate structured thought and analysis to drive strategic actions. They do not assist in addressing the lack of confidence and integrity of either the VET sector or the TAE.

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:

The new Standards for Registered Training Organisations (RTOs) 2015 requires that RTO's training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses. The Standards stipulate that:

RTO's training and assessment practices are relevant to the needs of industry and informed by industry engagement; and

The RTO implements a range of strategies for industry engagement and systematically uses the outcome of that industry engagement to ensure the industry relevance of:

- a) *its training and assessment strategies, practices and resources; and*
- b) *the current industry skills of its trainers and assessors.*

While this is a requirement, employers are generally not convinced that all RTOs meet this standard to the level of expectation of industry or that the regulator is well placed audit against these elements of the standard. It is imperative that RTOs establish industry credentials and maintain industry currency. Industry currency is a vital issue for employers who do not want outdated or obsolete techniques taught to employees. Active engagements with industry is the only way to ensure trainers are aware of and are master of current and emerging trends and practices.

Reforms to training must require active actual industry participation in assessment / quality assurance.

Models of best practice often involve a more formalised relationship between the RTO and the industry group for whom the training is undertaken. Successful models are built around a culture of training where training is seen as a skill development business function and is treated as such.

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:

Training Packages mandate expectations of assessment practice based on industry expectations of training outcomes and given contexts for the demonstration of vocational skills. NFIA supports mandated training and assessment strategies to be included in companion volumes to industry standards frameworks, where it meets the needs of that industry. Such strategies would need to allow for a certain degree of flexibility, to reflect learner needs and the differing contexts in which the application of skills can occur.

It is critical when using a competency based approach to learning, that assessment is rigorous and that there is comparability between the skills acquired by students undertaking the same course in different institutions and this can be confirmed through an external third party assessment process.

Some industry sectors have themselves developed external assessment processes that allow employers or regulatory and licensing bodies to set a clear occupational benchmark for graduating students. Again, the application of external assessment practices and the benchmarking tools themselves should be determined by employers within that industry sector.

Some industry associations, local employer groups and individual employers offer advice and services to RTOs on good assessment strategies and provide input and feedback on assessment strategies developed by RTOs.

In the case of TAE however, NFIA demands the application of third party scrutiny. Given the foundation and nature of the TAE qualification, the quality control measures must be applied

uniformly to the TAE qualification. All TAE students should have their classroom competence and relevant subject matter knowledge assessed by an independent third party before being qualified to teach and assess others.

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:

Independent validation across all of VET for every learner would be costly and difficult to manage. As a baseline, there must be confidence that RTOs are delivering training and assessment that meets industry standards and complies with the national regulatory standards, confirmed by a comprehensive compliance and audit program.

Where a qualification links to a high risk occupation or a regulated or licensed occupation, there is (in some states and territories) already an external assessment process in place that sees the learner working in a supervised environment until there is confidence that the learner has demonstrated the range of skills required by the occupation effectively. Where this process is not in place, it needs to be put in place to ensure national uniformity of skill outcomes.

NFIA supports the above model, where the industry sectors and the relevant regulator work together to ensure the quality of outcomes.

NFIA supports trade/skills based training packages having a capstone unit in place within the training package. This provides a good opportunity for the appropriate industry or employer to play a role in overseeing the quality of output from RTOs.

It is often cost and time prohibitive for an employer or industry to have input into all aspects of the assessment process for each learner, however, with a capstone assessment unit in place, RTOs could draw on expertise with an employer or industry to provide additional advice or oversight on the final assessment and an industry signoff on the competence of the learner.

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:

NFIA believes that our industry’s expectations of skill from a VET graduate are reflected in the performance criteria of a unit of competency and the foundation skills requirements for that unit. There is no need to create additional burden for stakeholders where that expectations of skill for a graduate are sufficiently outlined in the unit of competency.

To be deemed competent in VET, the assessed individual must be able to demonstrate an ability to perform the required occupational tasks with a level of skill commensurate to that required in industry at an entry level into that occupation.

11. Discussion questions – evidence of assessment and graduate competency:

- Should the Standards for RTOs be revised to include strengthened and more specific rules around the conduct of and evidence to support assessment? Which elements that have a clear link to quality of student outcomes need to be strengthened?
- Would a more prescriptive condition of registration, such as a requirement for RTOs to retain all assessment samples for a longer period, improve the quality of assessment?
- How could the focus of regulation move to evaluating assessment outputs, such as samples of students' assessment pieces, without incurring excessive costs or imposing excessive burden on RTOs?
 - Is ASQA the appropriate regulator to oversee this function, or are there better placed agencies such as firms that specialise in assessing students?
- Are there other mechanisms that you would like to see added to the regulatory framework to prevent poor assessment? For example, should training-only RTOs be recognised as a formal part of the regulatory framework?

COMMENT:

The new Standards for Registered Training Organisations (RTOs) 2015 have considerably strengthened the teaching and assessment standards compared to the previous 2012 regulatory standards.

The TAE qualification should be subject to a comprehensive third party independent competence assessment as an immediate priority.

Over the medium term, NFIA encourages the establishment of a system of industry-focussed moderation that would be overseen or administered by ASQA and support ASQA auditors in making value based judgements on assessment outcomes and the veracity of evidence presented by RTOs. Under this model, ASQA would establish a Panel of Expert Assessors, based on the advice of industry and working in conjunction with them. This panel of experts could be drawn on by ASQA to support the audit process and provide expert industry advice on the teaching and learning practices of the RTO and whether they meet the expectations of industry.

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:

The development and implementation of an expert panel of industry assessors to support the audit process as detailed in Section 11 above would serve to shift the focus of audit from a compliance based input driven process to a more outcomes driven model of assessment against the regulatory standards.

There is merit in requiring an RTO that has faced serious questions regarding the standard of training and assessment provided fund an external validation of assessment. An external validation could also show that a learner who graduated from an RTO where the quality of outcomes are questionable either can or cannot demonstrate competence and a recommendation can be made to either revoke the qualification or undergo additional training. This could also give an opportunity to learners who face having a qualification revoked the opportunity to demonstrate their skills against the performance criteria of each unit of competency and possibly prevent them from losing their qualification and having to redo to qualification or walk away from VET disillusioned with the system.

Such a model of requiring an external validation where there are serious questions regarding the standard of training and assessment should not be influenced by the size of the RTO or whether it is private or publicly funded. Questions of quality and confidence in VET as a whole should be dealt with evenly across the sector.

The regulator does possess means to manage RTOs that are repeatedly non-compliant with assessment requirements and the current sanctions are sufficient to ensure most RTOs seek to comply with the standards. Serial offenders or those who seek to “phoenix” RTOs that have previously had issues with non-compliance under a new name or new management should be dealt with in accordance to existing sanctions.

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:

Notwithstanding comments in sections 11 and 12 above regarding the use of external validation in instances, there should be a greater exercising of power to revoke qualifications that fail to meet the requirements of the training package.

In such cases, it would be expected that the RTO refund the cost of training delivery to the student, employer or funding body and pay for any reassessment and gap training to bring the learner up to the required standard. This should be universally applied, regardless of whether there are any public safety concerns, as the prevalence of graduates with issued qualifications but not being able to demonstrate the expected skill harms the reputation of VET in Australia and can impact on employer confidence in the VET sector.

An even approach to revoking qualifications and requiring a refund of the costs of training would also send a strong message to all RTOs that questionable training and assessment practices will have serious impact on the RTO as a business entity.

There may be situations where the original RTO may be well placed to deliver the reassessment. If, for example, a single trainer had used sub-standard assessment tools and signed off a student as competent, that RTO may have identified issues with the assessment through moderation and sought to remedy the situation using a different trainer/assessor and assessment tools that meet the expectations of competence.

Where the learner was in receipt of an income contingent loan, such as VET FF HELP, to fund their study, it would be expected that the original RTO would repay the students debt to the commonwealth.

There are currently two recognised tuition assurance schemes operating in the VET sector and both are well regarded within the VET sector. NFIA supports mandatory membership of a tuition assurance scheme as a means of student protection. Such schemes should extend to coverage of the costs of reassessment or retraining where the original issuing RTO has ceased to trade.