



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:

RTO Training and Assessment
Consultant
Note: My responses in this paper
have been shared publicly via my
blog
<http://rubric.com.au/quality-of-vet/assessment/>

(i.e. as a student, VET practitioner, RTO, third-party provider, peak body, business, industry representative, regulator or other government agency or community member)

5. Do you want your submission to be published on the department's Yes No website or otherwise be made publicly available?

a. If yes, do you want your name and organisation (if applicable) to be published alongside your submission, Published Anonymous OR would you like for only your submission to be available and your details kept anonymous?

b. If no, please advise the department upon submission that you do not want your submission to be published or otherwise be made publicly available.

1. Discussion questions – RTO limitations:

- Is it appropriate for relatively large numbers of RTOs to deliver TAE qualifications or skill sets? Should the number be reduced to a targeted number of RTOs focusing on high-quality provision?
- Should RTOs be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors?
- Are TAE qualifications and skill sets so significant that evidence of competence should not—or cannot—be appropriately demonstrated via recognition of prior learning?
 - Is recognition of prior learning for TAE qualifications or skill sets granted with sufficient rigour to ensure the quality of student assessment? Should the practice be restricted?
- Are there opportunities to improve the assessment skills of the VET workforce through changes to the delivery and assessment of TAE qualifications and skill sets?
 - Should TAE qualifications and skill sets only be delivered by VET practitioners who can demonstrate a specific period of training and/or assessing employment history in the VET sector?
 - What circumstances would support a change requiring some VET trainers and assessors to hold university-level or higher-level VET qualifications, for example, practitioners delivering and assessing TAE qualifications and skill sets?
 - Should the TAE Certificate IV and/or Diploma require a practical component? If so, how long should the practical component be?
 - Should entrants to the TAE Diploma be required to demonstrate employment history in the VET industry before being issued with the qualification? Would this condition help to improve the relevance and validity of assessment? How long would this period of time be?

COMMENT:

Chapter 1 - The skills and knowledge of the VET workforce

I will start by providing my thoughts on improving the skills of VET practitioners, the focus of Chapter 1 in the report and then share my responses to the first 6 questions.

Improving the skills of VET practitioners - Why it's worth investing in

Research around the world has found that teacher quality is shown to be the single most important feature of successful education systems .

Teachers/trainer salaries are also the biggest expense for education organisations, so it makes sense to invest in them to help them be the best they can be.

In fact, a UK report [reviewing the efficiency of schools](#) found that the most effective and efficient schools invested more in their teaching staff. It showed that spending on recruiting the right people

and their development provided the biggest difference in student outcomes. To achieve this schools were creative in minimising other running costs.

Yet, in the Australian VET sector, I see more time and money spent on compliance than the professional development of VET teachers. This needs to change before significant improvements in the sector are seen. We need to focus on student outcomes over audit outcomes.

Providing effective continued teacher development should be the No. 1 priority for governments and RTOs, rather than imposing more regulation and systems on RTOs. VET in Australia is regulated enough already, and it's not making a difference to quality.

My suggestions for improving the skills of VET practitioners

Having worked with many teachers over the years, from micro to large RTOs, to develop their skills, here are my observations and recommendations:

- Keep the CIV in Training and Assessment as the entry level qualification. Emphasise that it is a starting point only, and trainers must commit to developing their skills and knowledge once working in the sector.
- Stop messing with the CIV in Training and Assessment and expecting trainers to keep updating to new versions when changes are made. This is madness, a waste of time, money and achieves little, if anything, in terms of improving the skills of trainers.
- Designing learning and assessments are advanced skills and should not be expected from the entry level TAE CIV qualification. Designing learning and assessment should only be done by those who have gained these skills in higher level qualifications and/or professional learning programs.
- Governments should provide funding for programs to improve the skills and knowledge of VET teachers, especially in designing learning programs and assessments.
- We need to introduce higher pay scales for trainers with diploma or higher level adult education qualifications, especially skills in learning and assessment design. Provide an incentive to go beyond the CIV qualification. Most Bachelor and post graduate programs for VET teachers have ceased because of lack of demand, largely due to the cost and there being no financial incentive to undertake them.
- Allow only accredited RTOs to deliver and assess Training and Education qualifications. These RTOs undergo an annual review for the quality of their delivery and assessment.
- RTOs need to invest in longer term professional learning programs tailored for the needs of their staff and what they want to achieve. They have a strategic approach to developing and maintaining the skills of their staff rather than the ad hoc approach that usually occurs.
- RTOs provide VET trainers with appropriate time to implement new approaches to training and assessment. They don't expect them to do it on top of their existing work. This is especially true when asking them to develop new programs, assessments, approaches to learning.

- RTO managers and supervisors need to understand and appreciate the importance of developing the skills and knowledge staff, including themselves.

The extra money spent on teacher development is a better and more positive investment than imposing more regulation or changing existing qualifications.

So it is based on the above that I provide the following responses to the questions in the discussion paper.

1. Discussion questions – RTO limitations:

- Is it appropriate for relatively large numbers of RTOs to deliver TAE qualifications or skill sets? **No**
- Should the number be reduced to a targeted number of RTOs focusing on high-quality provision? **A resounding YES**
- Should RTOs be restricted from issuing TAE qualifications or skill sets to their own trainers and assessors? **Not if RTOs are approved to deliver the TAE and audited regularly on the quality of delivery and assessment.**
- Are TAE qualifications and skill sets so significant that evidence of competence should not—or cannot—be appropriately demonstrated via recognition of prior learning? Should the practice be restricted? **As above, not if RTOs are approved to deliver the TAE and audited regularly on the quality of delivery and assessment. Restricting RPL especially on diploma quals would dissuade experienced, trainers, teachers, learning designers from working in the VET sector.**
- 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? **As for all VET quals, demonstration of competency and currency at the unit level is required, but caution is needed by stipulating a period of training or assessing in VET as some people are experienced learning designers without being trainers and assessor. These people have the skills to deliver the design units in TAE qualifications. LLN experts may also have experience outside of VET or actual training and yet bring expert knowledge and skills to teaching VET teachers LLN skills.**
- Should the TAE Certificate IV and/or Diploma require a practical component? If so, how long should the practical component be? **No, as I think it would be difficult to organise and work placements often provide poor learning experiences if not carefully vetted. Ideally, students need supervision/mentoring for the first 6 months after completing the CIV and working in an RTO.**
- Should entrants to the TAE Diploma be required to demonstrate employment history in the VET industry before being issued with the qualification? **No, we should be encouraging more people entering VET teaching to start with the diploma rather than a CIV. Primary and Secondary teachers start with a Bachelor degree.**

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:

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? **No**
- Should the core unit be the existing *TAEASS502B Design and develop assessment tools* unit of competency? **No**
- 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? **Yes**

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:

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? **Maybe, by providing PD funding, professional learning programs, endorses quality TAE providers/ higher education programs, provides mentors, recommends pay scales and working conditions, promotes good practice and VET teaching.**
- What are the barriers to establishing a national professional association? **Funding, having appropriate people to run the association, needs to be monitored and evaluated annually in terms of impact.**

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:

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 **(yes)**
 - develop capability frameworks **(yes, but look at existing ones rather than reinventing)**
 - positively promote the profession of VET trainers and assessors as an employment destination and career path to attract professionals **(yes)**
 - act as an advocate and voice for VET trainers and assessors **(yes)**
 - interact with industry to respond to their emerging needs **(yes to inform the new industry reference group for the TAE)**
 - register VET practitioners? **(yes)**
- 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? **Existing organisations are either for profit, or restricted by government funding requirements. They focus on for profit professional development. There is a need for one association that represents all VET teachers from private and public RTOs regardless of whether they receive government subsidised funding and are not for profit.**
- Are there any existing organisations that could fulfil this role? **No, but there are existing organisations who could continue to offer their services with accreditation from the national 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:

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? **Model A, to encourage diversity and different associations/organisations with specialist skills and expertise to offer support to VET professionals.**
- What value would a VET professional association, or associations, add to the VET sector? **Promote VET teaching as a profession, ensure members have access to current information/quality PD opportunities and increase awareness of RTOs of the importance of developing staff skills and knowledge.**
- What mechanism would sustain a professional association, for example, membership fees from individuals or RTOs? **Fees would need to be paid by individuals as some work across RTOs. RTOs can elect to pay the fees on behalf of the individual.**
- Should VET teacher and trainer membership with a professional association be mandatory or voluntary? **Mandatory but affordable, VET teachers are registered (as schools teachers are) and pay an annual registration fee (that is affordable).**

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:

6. Discussion questions – capability frameworks:

- What can be learnt or applied from the capability frameworks that have been developed or are currently being developed? **The framework must clearly articulate the skills required of the modern VET practitioners and be able to be used to design targeted professional learning programs for individual and RTOs.**
- Is there an opportunity to make better use of these frameworks, irrespective of proposals to develop a professional association? **Yes, as they are not widely promoted, few RTOs are aware of them or use them but they can be helpful in developing a strategic professional learning plan and tailoring PD to staff needs.**

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:

This section of the discussion paper focuses completely on independent assessment validation and how to involve industry more. To my mind, it completely misses the point by solely focusing on yet more regulation and a heavy handed approach to checking assessments by people with no expertise in what makes for good assessments – industry.

Sure, it is good practice to have appropriately experienced industry representatives review the way students are being assessed and what they are being assessed on to ensure they are work relevant.

But having industry formally validate assessments is fraught with issues.

These include:

- Industry are not training and curriculum specialists, most find units of competency foreign and without guidance from said specialists, will not be able to provide informed validation of assessments.
- Who is industry? It depends on who knows who and who you can get to agree to validate assessments and these are often not the right people to validate assessments. Managers, industry association reps, actual workers and the local employer down the road will review assessments from different perspectives and agendas. Unless the industry participants provide a fair representation of the work skills and knowledge required by the unit then the validation process will be peppered with bias and/or misunderstanding of the unit and work requirements.
- It's hard for RTOs to get industry involved. Industry is not that interested in taking time out to participate in assessment validation. Time is money and most don't see it as their role.

There is no incentive or disincentive for them to participate unless directly involved or benefiting from the training (e.g. employers of those being trained by the RTO especially if they are paying for training).

So with this in mind, I provide my responses to questions 7 – 10 in Chapter 2 of the discussion paper

7. Discussion questions – increasing industry confidence:

- Are there other ways to ensure industry confidence in assessment without requiring independent validation of assessment?
Yes, focusing on advancing the skills and knowledge of VET managers and trainers in competency based assessment, widely sharing examples of good practice and providing financial support/incentives to RTOs and individuals to maintain and improve their skills in assessment. Include assessment validation in all audits by ASQA and undertake strategic 'spot-checks' on assessments of RTOs, these could include industry representatives

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:

8. Discussion questions – the role of industry in assessment:

- What role should industry, play in validation of assessment? Do employers or industry groups have the skills required to fulfil this role in validating assessment? Is there a need to build industry capacity and capability regarding involvement with training and assessment? 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?

The Standards for RTOs 2015 have strengthened the need for RTOs to engage with industry to inform the validity of their training and assessment strategies, resources and practices– to ensure they reflect current workplace skills and knowledge requirements. So give RTOs time to get a systematic approach to engaging with industry.

In my work facilitating industry involvement in reviewing assessments I observe 3 key things related to this question:

1. It is difficult to engage people from industry who have the skills and knowledge required at the unit level to give feedback on assessments. Often these people are not allowed to take time out from work to attend, or are not interested in participating as they don't see it as their responsibility. There needs to be some incentive for the right people from industry to participate.
2. Validating assessments requires more than just checking if assessments are relevant to industry. It is not appropriate to expect industry to participate in a full validation session, but rather to provide input only on areas that ensure the assessments are valid
3. Caution is needed about responding in a knee jerk fashion to industry feedback on training and assessment, often they have very individual/specific expectations or too high expectations of VET training, outside the scope of the unit/s.

4. Involving the right industry and RTO people, in a well planned approach to the training and assessment review (as opposed to full validation), can provide great benefit to assessments, training and sustained partnerships between industry and RTOs. But this takes skilled people to coordinate and implement at the RTO level.

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:

9. Discussion questions – specific models:

- How can independent validation be best applied to avoid a 'one size fits all' approach?
Option A (outlined above) - improving RTO practice, for example, through a principles based model and best practice guide to support the VET workforce in identifying the most appropriate techniques to validate assessment. Don't introduce more regulation, but more encouragement and support to RTOs to meet the Standards for RTOs 2015 which include the requirement for 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:

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?
Clear and detailed descriptions about what graduates of VET qualifications and units can do would help clarify to industry the scope of the training and outcomes. Industry often does have too high expectations of training, expecting it to provide them with people with skills equivalent of employees of many years.
- 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
Maybe, but this is not the main issue.

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:

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?
No. The Standards for RTOs 2015 do not need to be revised. There are clear rules around assessment, how it is to be conducted, by who and validated.
- 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?
No, it is already difficult for RTOs to store assessments for 6 months – physically or electronically.
- 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?
Have ASQA auditors conduct validation on a sample of students when auditing RTOs. Add spot validations to ASQA's scope of activities to encourage RTOs to make sure they are maintaining the standards for assessments throughout their registration period.
- Is ASQA the appropriate regulator to oversee this function, or are there better placed agencies such as firms that specialise in assessing students?
Yes, this function must be managed by ASQA, but they can employ people or engage consultants who specialise in assessment validation and industry representatives to participate as needed.
- 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?

No, it makes little sense to me to have RTOs that train only and assessment is undertaken by a separate organisation, this is likely to result in poor alignment between training and assessment and impact negatively on the student experience.

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:

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?

Requiring re assessment of students impacts negatively on students who may need to demonstrate competency again. The aim of the regulator is to enforce high stake penalties on RTOs that persuade them to provide quality assessments rather than penalise students. One approach may be to include quality indicator results/completion rates and outcomes of audits on training.gov.au

- 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?

No

- 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?

Am I missing something here? This is a no brainer, they should be de registered. That is the whole point of the Standards, RTOs are registered to deliver training and assessment according to the Standards. If they don't they are no longer able to be registered.

- 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?

No. More can be done to communicate with the general public about the quality of

different providers in terms of completion rates and audit outcomes as I have described above.

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:

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?

Requiring re assessment of students impacts negatively on students who may need to demonstrate competency again. The aim of the regulator is to enforce high stake penalties on RTOs that persuade them to provide quality assessments rather than penalise students.

One approach may be to include quality indicator results/completion rates and outcomes of audits on training.gov.au

- 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?

No

- 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?

Am I missing something here? This is a no brainer, they should be de registered. That is the whole point of the Standards, RTOs are registered to deliver training and assessment according to the Standards. If they don't they are no longer able to be registered.

- 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?

No. More can be done to communicate with the general public about the quality of different providers in terms of completion rates and audit outcomes as I have described above.