

TAFE Queensland response to the Quality of assessment in vocational education and training – Discussion Paper

Submission details

1. Submission made on behalf of: Individual Organisation

2. Full name:

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3. Organisation (if applicable):

TAFE QUEENSLAND

4. Please indicate your interest in this discussion paper:

RTO

(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 website or otherwise be made publicly available? Yes No

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.

Introduction

By way of introduction, TAFE Queensland is the largest provider of education and training in Queensland and in 2014-15 delivered training to more than 125,294 students across more than 600 programs. TAFE Queensland has state-wide reach with 56 service delivery locations throughout Queensland and prides itself on being a high quality provider of education and training, within an increasingly diverse and competitive market. This quality is exhibited by the outcomes TAFE Queensland achieves for its students and clients, including industry and employers. These outcomes include:

- Competency completion rates of more than 89%;
- Transition rates to employment or further education at more than 87%;
- Student satisfaction at nearly 88%; and
- Employer satisfaction at nearly 90%

These performance outcomes contribute to our recognition as a high performing, low risk training provider who delivers quality, industry endorsed assessment. As a large training provider, our scope of registration includes 644 qualifications and 218 skill sets, including six TAE qualifications and nine TAE skill sets.

Recent strategic reviews undertaken by the Australian Skills Quality Authority (ASQA) into training for industries including security, early childhood and care and aged care have identified poor assessment practices being carried out by certain sections of the VET sector. These reports have a number of negative impacts:

- Students are not equipped with the skills they have paid for;
- Industry are not being provided with 'work ready' graduates;
- The public is being exposed to risk from poorly trained and assessed students, particularly in high risk industries; and
- The overall reputation of the sector is suffering.

TAFE Queensland acknowledge these issues and want to work with government on mechanisms to address the contributing factors. Having said this it is also noted that whenever amending regulatory and industry compliance processes government needs to weigh the regulatory action and its impacts on the sector it is regulating against the benefit it will provide to the broader community. This is the approach that TAFE Queensland has taken in responding to this discussion paper, that is, it has sought to identify the issues at hand and establish whether suggested measures will effectively address these matters.

To elaborate, TAFE Queensland's view is that government needs to take a measured approach and only make changes to the assessment framework where necessary based on evidence of risk to students, industry and the community more generally.

To that end, TAFE Queensland support minimal changes to the current framework, instead advocating for increasing targeted regulatory and compliance standards to enforce the RTO Standards and the implementation of training packages/product in line with how they were intended when being developed.

TAFE Queensland trusts that the new model for Training Product Development will deliver enhanced governance and provide the ability to invoke its authority through robust mechanisms for enforcing expectations and performance.¹

Success of the proposed reforms will be highly dependent on the governance role and accountability of the newly established Australian Industry and Skills Committee (AISC) and Industry Reference Committees (IRCs). Membership selection must be appropriate and regularity of meetings sufficient to enable responsiveness and urgency to deal with issues as they arise.

Similarly, the Standards for RTOs (the Standards) are integral to providing nationally consistent, high-quality training and assessment services in the vocational education and training system. To address the concerns around the quality of assessment in VET, there is the need for a regulatory framework that has the ability and necessary powers to act and is more responsive to addressing non-compliance in order to protect consumers and defend the identity and credibility of the broader VET sector.

TAFE Queensland supports using the current risk based approach to regulation used by the VET regulator which utilises key performance data. To enhance this approach, TAFE Queensland proposes some changes to the allocation of risk profiles to providers and the associated performance control measures.

TAFE Queensland believes that the new model for Training Product Development will enable training products to be designed to ensure assessment is of high quality leading to graduate outcomes that are recognised and supported by industry. However, at present it believes many training products fall short of meeting industry expectations and do not have sufficient direction to enable valid, consistent judgements to be made resulting in poor or inadequate assessment outcomes.

Qualifications/skill sets that meet industry needs and expectations are essential; training packages need to be reviewed and continuously improved on a regular basis to ensure assessment conducted leads to quality outcomes; and when it is not, the organisations responsible, the Skills Service Organisations (SSOs) act responsively to assure packages are updated efficiently.

Whilst IRCs and SSOs will work actively to ensure training is informed by industry, there must be recognition of the fact that TAFE Queensland as one of the largest providers of vocational training in the nation and is seen as 'the industry' for training and assessment (alongside other large, high-quality private and public RTOs) and should therefore be provided opportunities to have significant input into the development of the Training and Assessment (TAE) training package.

The Australian VET system (including the AQF, training package development through industry, national standards and regulated RTOs) is a model that is seen as a benchmark for developing economies and while continual improvement (which includes this discussion paper) is a key feature of this framework, any improvements to the system need to focus on

¹ New Arrangements for Training Product Development for Australian Industry

the graduates of the system and both the relevance of their skills to industry and their transferability of skills for the future.

In addition to the above comments in relation to the regulatory framework, TAFE Queensland strongly advocate for the development of a VET professional association. This body would provide a key vehicle for embedding quality within educators and could also provide a key advocacy voice for VET professionals throughout Australia.

TAFE Queensland's response to the Discussion paper reflects the viewpoints of all six of its regions, each of which is an RTO in its own right. Input was sought from all levels within the organisation, from General Managers down to educators, through surveying and a forum that specifically discussed the key components of the discussion paper.

Key Recommendations

TAFE Queensland supports national reforms to improve quality of assessment through:

1. Improvement to the training package framework in response to the Review of Training Packages and Accredited Courses
2. ASQA, as the national VET regulator, implementing a risk based approach to enforcement and compliance focussed on outcomes rather than training and assessment processes.
3. Inclusion of additional performance monitoring mechanisms for high risk qualifications and/or high risk, low performing RTOs.
4. Establishment of a national VET Professional Association that works closely with peak bodies to achieve a highly skilled workforce and strong advocacy role for the VET sector.

Section 1. Foundation reforms

1. RTO limitations:

TAFE Queensland response:

Essentially, assessment is the gatekeeper that guarantees graduates have the required skills and knowledge to meet industry expectations. A highly capable VET educator workforce is a critical component of safeguarding quality assessment. The Certificate IV in Training and Assessment is the foundation for ensuring that trainers and assessors are adequately equipped to conduct valid and reliable assessment processes. This includes the ability to plan, design, develop and implement assessment.

TAFE Queensland's starting point is that if training packages have sufficient prescription around assessment requirements to ensure quality outcomes and the Standards for RTOs (the 'Standards') are enforced by regulatory bodies, then there should be no need to incorporate many of the additional performance monitoring mechanisms described within the Discussion Paper. Regulation must address both market entry (i.e. sufficient rigour in the application for additional qualifications within the scope of registration) and also assessment outcomes.

TAFE Queensland's view is that the approach to regulating assessment should take account of the risk profile of the individual training provider. This can be achieved by taking a risk based approach rated on performance outcomes with:

- restrictions imposed on the delivery and assessment of 'high risk' qualifications and situations; and
- higher level of rigour and regulation aligned to low performing, high risk RTOs.

Based on this notion, it is the opinion of TAFE Queensland that low risk RTOs should not be restricted from issuing qualifications to their own staff; nor should they be restricted in applying RPL processes; however for high risk RTOs imposing restrictions or conditions is justified. Having said this, it is acknowledged that RPL decisions need to be aligned to robust evidence.

Embedding a practical component within the delivery of TAE qualifications is supported and should be explicitly expressed within the assessment requirements of units within the Certificate IV and Diploma qualifications in the TAE training package. By specifying a prescribed minimum number of practicum hours, volume of learning and amount of training issues would also be addressed. It is encouraged that practical skills and established benchmarks be achieved through embedding volume, sufficiency and consistency through the performance evidence and assessment requirements for each unit of competency. A probationary period of delivery under supervision post qualification may be offered as an alternative solution.

2. Skills and qualifications of trainers and assessors:

TAFE Queensland response:

Trainers and assessors of TAE qualifications should be required to hold a higher level qualification (TAE diploma or higher education qualification in adult education), as per the current Standards for RTOs: Clause 1.21-1.25. Possessing extensive industry experience in vocational education is endorsed by TAFE Queensland for entry into Diploma level TAE qualifications (employment history being an option to demonstrate this experience). The consistent ability to develop, implement, review and improve training and assessment practices is required (not simply a nominal duration of employment).

TAFE Queensland supports the inclusion of a core unit on the design and development of assessment tools, noting that well-designed assessment ensures quality outcomes for students and industry. If it is the intent that trainers/assessors with a Certificate IV have the ability to conduct assessment that:

- confirms the dimensions of competency,
- is customised to meet the various industry contexts, and
- make reasonable adjustments to suit specific priority learners (as opposed to simply facilitate a pre-prescribed assessment task);

Then these more advanced skills need to be included in the qualification.

At present, the core units around assessment do not enable this depth of understanding and practice. Practitioners need to have a better understanding of how to develop assessment that is authentic and reflective of industry standards, whilst meeting the principles of assessment and rules of evidence.

TAFE Queensland holds mixed views as to whether the Diploma level unit (TAEASS502B) is incorporated or a new AQF level 4 unit is developed. The debate comes around the appropriateness of the AQF level and the application of knowledge and skills. Both AQF Level 4 and 5 expect graduates *'will apply knowledge and skills to demonstrate autonomy, judgement and limited responsibility in known or changing contexts'*; AQF 4 is *'within established parameters'* as opposed to AQF 5, which is *'within broad but established parameters'*. As TAEASS502B is already a specified elective for the Certificate IV, it is deemed appropriate, therefore there seems no point delaying the release of the TAE Package (which is well overdue) to develop an alternative unit.

Training packages should be regularly updated in response to changes to industry standards/practices/equipment, changes to legislation, as the result of systemic audit outcomes or issues/feedback raised through the AISC or IRCs. Assessment skills should reflect contemporary assessment methodologies. Hence, the TAE training package needs to be repeatedly reviewed and where appropriate updated. Historically, training package updates have not been regular enough with identified issues that contribute to poor assessment outcomes not being addressed.

As part of the consultation process into updates to the TAE qualifications, it must be recognised that key stakeholders such as reputable RTOs (including their trainers and assessors), industry reference groups, professional associations, advanced practitioners,

peak advisory bodies (such as TDA, ACPET, AUSTAFE, VETIG, VELG) have valuable contributions to make. The vocational education and training sector is, in this instance 'the industry' and the key players in this industry deserve acknowledgement and input into outcomes. Generally speaking, no-one knows the qualifications better than those that are delivering it and delivering it well.

However, it should be noted that in some instances it is not the training package itself that is the problem; it is the lack of rigour in regulation of RTOs and the implementation of training and assessment processes, which will be further discussed later in this response.

3. A VET professional association:

TAFE Queensland response:

TAFE Queensland has been heavily involved in pursuing the establishment of a VET professional association. This has included the development of a business proposal that was presented to Senator the Honourable Simon Birmingham in June 2015.

An overview of the rationale, support for and work completed to date is at **Attachment 1** as a proposal recommended to the Australian Government to progress.

Consequently, establishing a national VET Professional Association whose role revolves around advocacy, professionalism and workforce development is supported by TAFE Queensland. Value to individuals, RTOs and the broader VET sector has been identified through the development of the business plan and during recent consultations in relation to the discussion paper with TAFE Queensland staff.

The business plan identifies strong support for the concepts, including research undertaken by Clayton & Guthrie in 2011 which reported that 91.4% of 817 survey respondents support the establishment of a professional body for VET.

It is believed an association would provide a strong, united voice for VET professionals in state and national policy debates and industrial relations. A single entity with numerous functions (Model B) was unanimously identified as the preferred model. VET Network Australia and VELG were recognised as existing organisations that may fulfil the role; although a newly formed organisation would be positively received and have greater advantages in being able to develop and build a profile for the VET sector.

Formation of a set of standards for professional practice in VET and/or Code of Conduct would contribute towards the creation of a strong professional identity, elevating confidence in training outcomes, credibility in the workforce and the integrity of vocational qualifications.

TAFE Queensland believes the association could play a valuable role in providing consistency and strengthening the capability, quality and professionalism of the VET workforce. It could play a pivotal role in achieving consistency in relation to trainers and assessors maintaining their competency and currency through identifying and facilitating access to high quality professional learning activities. Recognition of highly trained and

skilled workers who have VET knowledge, industry experience and training and assessment qualifications (and higher) to deliver VET is pivotal and cannot be compromised.

There is potential to introduce a credentialing process for RTOs and the individual VET practitioners that is linked to quality standards. Due to recent quality issues and the behaviour of unscrupulous providers, VET generally is developing a worsening reputation in the broader community. While TAFE may consider itself separate from most of the RTOs that deliver questionable training, due to there being a general diminishment of confidence in the sector, TAFE is also adversely impacted by this. Lack of consistency in trainer quality has led to poor outcomes for many students.

One mechanism that could improve both outcomes for students and the reputation of VET is to implement, enforce and maintain a set of standards for teachers/trainers/assessors that is transparent and a register that is available to the public. 78% of staff surveyed at TAFE Queensland supported a registration scheme for VET practitioners.

It would be attractive to the RTO and to industry, if membership guaranteed competency and currency on the part of the educator, addressing compliance requirements from the RTO perspective and assuring quality graduates from an industry view. This could be linked to a multi-tiered risk based approach to RTO accreditation and regulatory processes.

In canvassing responses, stakeholders at TAFE Queensland purported that both RTO and the individual educator would pay a membership fee if they saw value in the Association, its role and the activities provided. There was greater support for voluntary membership as opposed to mandatory (69% versus 31%).

TAFE Queensland has identified the following as potential roles of the organisation: -

- Provide a forum to promote best practice and national consistency in VET educators.
- Develop national standards that are publically available and transparently presented.
- Provide national advocacy for VET professionals to provide an active voice in policy and decision making.
- Provide a key point for industry standard professional development.
- Regular communication on key developments within the sector and positive stories about the role of educators.
- National job listings and pool of quality casual staff.

For an Association to be financially viable investment from external parties would be necessary, especially to achieve early wins required to create an 'attractiveness' and perceived benefit for potential members and thus ensure ongoing sustainability. Investment suggestions include government funding (State and Federal), sponsorship through VET related bodies, hosting of seminars, subscriptions to journals / magazine, professional learning events and so on. SSO affiliations could be advantageous especially in the development and refinement of training packages through gaining educator opinion and/or expertise in writing/development.

Essentially, there are four key barriers identified for the establishment of the association:

- Cost (time and investment) required to initially establish and implement.
- Ensuring consistency is achieved across state jurisdictions and across industry sectors.

- Buy in from stakeholders to enable a return on investment, especially from parties who would be required to tighten up their own standards
- Lack of recognition by other professional associations and peak bodies.

To overcome these barriers it is suggested that in-depth consultation with all key stakeholders is pivotal; adequate government funding during establishment is required; effective communication as to benefits and value and offering flexibility in the provision of support and membership is important; and keeping the focus on the profession not the business.

4. Capability frameworks:

TAFE Queensland response:

TAFE Queensland has recently developed its own *Educator Capability Framework*, which was developed to support the implementation of the Educator Capability Strategy. The Framework is designed to develop both educator and organisational capability and provides a common language and set of standards, helping to make visible the skill requirements of the differing educator roles, which exist within TAFE Queensland. It guides educators to undertake professional development to improve the quality of their teaching, learning and assessment. The Framework articulates the desired outcomes to achieve a highly capable educator workforce. It brings together outputs from the analysis of the current educator workforce and future workforce profiles, identified gaps in capability and planning to provide prioritised activities for implementation in order to realise TAFE Queensland's strategic objectives.

For TAFE Queensland, implementing the Educator Capability Framework across TAFE Queensland will support VET educators to maintain competence, currency and capability, and position TAFE Queensland for growth and to be more responsive to market needs. By describing the skills and abilities of educators and then identifying and addressing gaps in capability will enable a strategic approach to educator capability development, effective workforce planning and cost effective targeted, professional development opportunities.

Smaller RTOs may not currently have the capacity to implement a capability framework or a comprehensive workforce development plan and therefore would gain great benefit to the development of a national capability framework. Less so for larger RTOs such as TAFE Queensland who will continue to apply its own educator capability framework, which is tailored to its organisational needs and objectives. If a national VET Professional Association were to provide professional development activities aligned to this framework it would be beneficial to enhancing the assessment skills of the educator workforce across Australia.

Section 2. Reforms to the assessment of students

5. Industry engagement in assessment

TAFE Queensland response:

TAFE Queensland does not support the introduction of industry wide externally administrated practical assessment. This practice would provide no additional benefit or guarantee to the quality of the training being delivered. External assessment would not provide greater validity, just standardisation and redirection of assessment accountability. The outcomes of assessment conducted by high performing RTOs that consistently demonstrate quality assessment principles, processes and judgements through adherence to regulatory standards would be equivalent, if not better than that achieved through externally administered practical tests. Time, costs and inconvenience to the student are additional drawbacks to this model.

High quality student outcomes rely on a number of key elements being in place, namely:

- Training packages are developed, which explicitly outline the required benchmarks.
- Assessment tools are developed to meet the training package requirement.
- Training and assessment is conducted in line with the regulatory framework.
- Trainers and assessors have the relevant skills to undertake training and assessment as prescribed by the TAE training package and the Standards.

Provided all of these elements are in place, effort should be redirected towards ensuring these four facets are complied with by providers, which is best achieved through targeted and well-funded regulatory activity. There should be no need to impose additional processes and measures that become cumbersome, highly restrictive and unfairly imposed on high quality, compliant RTOs that consistently produce quality student and industry outcomes.

TAFE Queensland provide in principal support for the use of external practical tests where there is a concern for public safety due to a combination of a high risk qualification and poor performing training organisations. If administered, these tests must occur prior to issuing of the qualification at no expense to the RTO or the student.

In relation to independent validation of assessment, TAFE Queensland:

- Only supports independent validation of assessment of TAE qualifications and skill sets and high risk qualifications identified by ASQA in strategic audits;
- Supports the inclusion of industry representatives in the process;
- Believes industry groups and employers do not have the required skills or availability to validate assessment.

Therefore there is a need to further build industry capacity and capability if they are required to be engaged in any assessment processes (including validation, external practical tests, work-based assessment). SSOs and a VET Professional Association are potential enablers to build this capability and to centrally facilitate engagement of industry in assessment situations.

Whilst TAFE Queensland see great benefit in using validation (generally) to improve RTO practice through a principles based model and use of best practice principles and guides, it supports the implementation of independent validation only in high risk situations, where there is a risk to public safety and the provider is considered to also present a risk (model discussed further below).

Lastly, and in line with earlier comments in relation to the need for training packages to be well developed, TAFE Queensland support industry playing a key role in the validation of assessment at the front end during development of training packages through articulating detailed assessment requirements, as opposed to becoming increasingly involved in the assessment process at the back end, which TAFE Queensland view as a key role for educators to fulfil.

6. Specific models of assessment

TAFE Queensland response:

A blanket 'one size fits all' approach to reforming assessment is not supported by TAFE Queensland. A multi-tiered risk based approach with categorisation of RTOs (high performing, low risk RTO vs low performing, high risk RTO) and risk rating allocated to qualifications (based on industry recommendation, licensing outcomes, strategic audit outcomes, public safety, WHS risks, changes to training packages) is preferred. Subsequent restrictions to the scope of training and assessment conducted and implementation of additional performance mechanisms would be expected. ASQA, as the national VET regulator (in conjunction with SSOs) would be responsible for establishing the risk ratings and regulating related processes. The use of prescribed industry endorsed assessment tools is a possible example on a suitable intervention.

In applying the proposed model (detailed below), if deemed a high risk scenario e.g. RTO with high levels of non-compliance and qualification outcomes relate to an area of public safety, for example aged care, then a student would be required to undertake assessment against an agreed set of industry endorsed competencies conducted by a recognised assessment organisation (which may be in partnership with a high performing RTO or an independent body) before being issued with their qualification. Re-assessment is not supported.

Many of these proposals appear reactive in nature. It is therefore recommended that effort is applied to supporting and implementing a more preventative approach whereby there is greater industry involvement and liaison with SSOs and RTOs at the training development phase. This could include partnerships for high quality training through an endorsed supplier model, that is, endorsement by licensing organisation as a supplier of a specified training package. TAFE Queensland believes industry engagement provides greater benefit and value at the front end of the assessment process, specifically in developing the training packages and associated benchmarks and in endorsing the RTOs training and assessment strategies, as opposed to involvement in post qualification assessment / practical test or independent validation. It must be noted that currently, there are qualifications with licensed outcomes which have mandated assessments to obtain the additional accreditation (license) do not align to the relevant unit(s) of competency. This disparity should not exist if there is true industry engagement into training package development and review.

Opportunities for further industry engagement in assessment can be achieved through collaboration in delivery of training through authentic work-based projects. This approach keeps industry and RTOs connected and ensure job ready graduates. Naturally industry feedback about graduate standards is imperative to driving quality outcomes – feedback about the individual RTO as well as generally in meeting workforce skilling needs.

7. Industry expectations

TAFE Queensland response:

It is agreed that in some instances satisfaction with VET graduate capabilities is not due to poor assessment, but due to a mismatch between industry expectations and the outcomes of the training package. This should not occur if the training packages are developed in accordance with the *Standards for Training Packages*. The Standards are designed to ensure that training packages are of high quality and meet the workforce development needs of industry, enterprises and individuals and all training packages were expected to comply with the Standards by 31 December 2015. It is apparent that in many instances this is not the case and packages fall well short of the requirements benchmark standards.

Imposing additional assessment requirements onto RTOs is not going address the issue; Training Packages must be compliant and the new governance bodies – the Australian Industry and Skills Committee (AISC) and Industry Reference Committees (IRCs) must take responsibility to enforce the accountability of SSOs to ensure issues are adequately addressed and in a timely manner.

Section 3. Reforms to the regulatory framework

8. Evidence of assessment and graduate competency

TAFE Queensland response:

TAFE Queensland disagrees with the notion that the current Standards for RTOs are inadequate and need to be revised to strengthen processes around the conduct of assessment. Instead, it suggests that the current standards need to be rigorously enacted and for identified RTOs more stringently applied through application of a risk based model (as outlined under heading 9).

The regulatory framework should aim to address inadequate assessment by:

1. Enabling the regulator to identify issues when they occur, responding promptly to investigate alleged breaches and actively monitoring high risk, low performing RTOs;
2. Providing the regulator with the resources to effectively and hurriedly deal with the RTOs in question, particularly in situations concerning public safety and where repeat offenders are involved;
3. Managing the consequences of inadequate assessment, including the provision of appropriate protections for students, employers and the public;
4. Revising the current national mutual recognition arrangements to provide options for RTOs to challenge the validity of qualification/unit attainment where it is evident that assessment outcomes have not been met.

In dealing with assessment issues, it is acknowledged that the regulatory framework must strike a balance between the expenses required to enact regulation, both for RTOs and for the regulator, and the value of ensuring that issued VET qualifications confirm a person's competency through robust assessment processes.

Currently, the regulatory framework is largely focused on assessment processes as opposed to assessment outputs; TAFE Queensland agrees to a changing focus and note that focussing on output as opposed to process is an increasingly held view within the sector. This action would also contribute to eliminating the identified disparity between the processes of assessment that RTOs may document and 'say what they do' and what may actually happen. Reviewing assessment outcomes would also minimise the ability to deceive. ASQA should, by refocusing on assessment outcomes, analyse the root causes of non-compliance and seek to address through direct action with the RTOs in question.

By addressing 'the front end' of quality and compliance i.e. the development of the assessment system (strategies, plans, processes and tools) and the quality and standard of trainers/assessors, 'the back end' (the implementation and outcomes) will inevitably improve.

TAFE Queensland strongly discourages the proposal to retain all assessment samples and for a longer period of time.

Development and provision of best practice guides and support materials is seen as a better investment and could potentially lead to improved reliability and elevated quality. Templates (for assessment and validation) would ensure and guide consistent processes.

The Discussion Paper suggests a role for training only RTOs. TAFE Queensland has no objection to recognise registration through the additional category. It holds some benefit by enabling these RTOs lacking in solid assessment practices and skills to partner with reputable training organisations to conduct valid and reliable assessment.

9. Enforcement of regulations

TAFE Queensland response:

As stated, “provisions are set out in the National Vocational Education and Training Regulator Act 2011 (NVETRA) prohibiting the issuance of a VET qualification or statement of attainment without providing adequate assessment, or without ensuring that the student satisfied the requirements of the relevant qualification or units of competency”. ASQA should enforce these provisions in a more proactive manner, which targets current concerns highlighted, including through recent ASQA audit reports into high risk training areas.

TAFE Queensland supports the current enforcement powers that ASQA holds to address poor assessment practices and non-compliance to the Standards; suspension or cancellation of registration, penalties, fines and other provisions.

Enforcement of penalties for RTOs who are guilty of repeated non-compliance to assessment requirements is supported. It is expected that critical non-compliances may result in organisations being required to undertake independent validation, resulting in immediate rectification within a specified timeframe and possible restriction or suspension of registration/training.

TAFE Queensland supports a risk based approach to regulation and proportionate intervention focusing on training providers of concern. RTOs with a low risk of non-compliance and who consistently deliver high quality training and assessment should be afforded less regulatory scrutiny, noting that this is not an entitlement and quality levels would need to be maintained.

The Risk Assessment Framework currently used by ASQA and developed under the NVETRA provides a rational process for evaluating and applying a risk based approach; however it could be revised to place more emphasis on assessment processes and outcomes to address the quality of assessment issues by:

- Placing more weighting on the performance risk factors in the calculation of an RTO’s risk rating (currently performance risk factors account for 50% of total weighting, governance risk factors 30%, profile risk factors 20%);
- Incorporating a weighted focus around compliance to Standards 1 and 2 as part of the performance risk factors;
- Expanding the collection of RTO performance data to include submission of audit compliance reports against Standards 1 and 2, as part of the yearly Quality Indicator Annual Summary Report;

- Revising an RTO's risk rating yearly in response to the additional data outlined above as well as outcomes of RTO quality performance obtained from other sources (e.g. audit, compliance assessments, and complaints).

Data currently appearing on the ASQA website indicates 10% of providers are high risk and 21% medium risk. There are questions around the accuracy of this data as it does not correlate with the breadth of issues raised around the poor quality of assessment and inadequate assessment being undertaken and the proposed reforms outlined in the paper.

ASQA needs to ensure it monitors and responds to non-compliance (especially around Standards 1 and 2). Audit frequency and the type of audit must be proportionate to the RTO risk rating. Consideration of more frequent auditing and/or compliance assessments of high risk / low performing RTOs may be prudent; focussed especially around Standards 1 and 2.

Table 1 outlines the proposed approach for categorising providers and the appropriate performance control measures.

Table 1: Risk & Regulation Framework for Assessment

Performance Rating - Based on key performance data as per the Risk Assessment Framework

High risk RTO

Performance control measures

Six monthly compliance assessment²

Yearly audit against specified % of total scope of registration (randomly selected)

Conditions for registration and restrictions to training and assessment processes

² Compliance assessment, where the RTO submits documentary evidence for assessment by the VET regulator

		<p>Scope of registration – restricted from delivering:</p> <ul style="list-style-type: none"> • TAE qualifications/skill sets • High risk qualifications³, including those with licensed outcomes • Qualifications where repeated instances of major non-compliances <p>Assessment processes:</p> <ul style="list-style-type: none"> • Restricted from conducting RPL processes on own staff • Students required to undertake additional practical assessment if IRC/SSO and ASQA determine is required <p>Partnership arrangements:</p> <ul style="list-style-type: none"> • Not permitted to conduct assessment on behalf of Third party (including Training only RTOs)
Medium Risk RTO	<p>Yearly compliance assessment Site audit against specified % of total scope of registration within 3 year period (randomly selected)</p>	<p>Scope of registration – restricted from delivering:</p> <ul style="list-style-type: none"> • TAE qualifications/skill sets • High risk qualifications • Qualifications where repeated instances of major non-compliances <p>Assessment processes:</p> <ul style="list-style-type: none"> • No restriction <p>Partnership arrangements:</p> <ul style="list-style-type: none"> • Not permitted to conduct assessment on behalf of Third party (including Training only RTOs)
Low Risk RTO	<p>Compliance assessment, as required Delegation enables addition/extension to scope without audit Audit only when strategic audits are undertaken or in high situational risk (as identified by Supplementary Risk Indicators)</p>	No restrictions
All RTOs	<p>Audit on initial registration; within one year of initial registration or commencement of training delivery; on renewal of registration Audits in response to complaint or as determined by strategic requirements Yearly submission of Performance Data (QI Summary Report including compliance report against Standards 1 and 2) Actions triggering further investigation based on current Instances of where non-compliances identified by ASQA are not rectified, a sanction or penalty applies.</p>	

This framework embeds within its principles a higher level of scrutiny for RTOs identified as high risk or low performing organisations, including activities such as:

- More regular monitoring and reporting of outcomes;

³ As determined by Supplementary Risk Indicators identified in Risk Assessment Framework, including off-shore, partnership arrangements, licensed outcomes, impact on public safety

- Additional conditions for assessment and restrictions to the scope of delivery;
- More regular performance control measures.

Implementation of audit schedule whereby the frequency and type/scope of audit is based on a risk based evaluation of RTO performance and situational analysis.

TAFE Queensland supports transparency of process and making RTO risk ratings, audit outcomes, investigations and findings publically accessible; essentially 'a name and shame' approach that aims to create a significant deterrent and enables students to make informed judgements about their choice of provider.

Internationally providers that have adopted a market approach to the provision of education have also adopted key strategies to quality and specific processes to establish quality standards. For example, the United States has clearly stated roles for its different providers and in Canada public and private providers are regulated under separate legislation.⁴ Put simply, where there has been dramatic expansion and diversification in the size of education sectors, there has been a formalised regulatory acknowledgement of the differing characteristics of different components of the sector.

10. Cancellation and re-assessment

TAFE Queensland response:

TAFE Queensland has very limited support for the proposed reforms around cancellation of qualifications and reassessment; although it does support the protection of students and funding. In dealing with inadequate assessment, it may be acceptable to cancel the qualification issued, regardless of whether the student needs the qualification for employment or the time period post qualification. Consequences of such actions must be focused on the RTO in question and appropriate support be provided to ensure the student is not disadvantaged and to ensure additional training and assessment is conducted without additional payment. Restrictions to the scope of registration in relation to that specific qualification and other high risk qualifications may be consequential. To support costs incurred by students affected, the proposed suggestion around a tuition assurance scheme that all RTOs must contribute has merit.

TAFE Queensland supports a process enabling students to make a complaint directly to ASQA and also the expectation that ASQA act to address the complaint within 48 hours. Use of a market evaluation platform that enables students, as the customer to have share experiences and a voice may also be worth considering and it is noted that this has been successfully used in a number of other industries.

In summary, TAFE Queensland believes the current Standards for RTOs generally are sufficient to ensure quality of assessment in VET, although it supports a shift in focus from assessment processes to assessment outcomes in the regulatory approach taken by ASQA.

⁴ Victorian Government, VET Funding Review: Final Report, (Melbourne: Victorian Government 2015)

It strongly recommends a more rigorous approach to enforcing these Standards and enacting provisions under associated legislation to address inadequate assessment.

Attachment 1: A Professional Association for People who Work in Vocational Education and Training

Introduction

The challenge of ensuring high standards of professional practice in vocational education and training (VET) has been an ongoing issue for many years. Subsequent discussions and debates have focused on workforce development strategies, professional development programs, recruitment strategies, and recognition and reward strategies, to name just a few.

More recently, discussions have expanded to include the role of professional associations in contributing to high standards of professional practice and thus improving the status of the VET sector.

This overview document aims to:

1. Stimulate and broaden discussions about a professional association for people who work in VET
2. Provide a platform for development of a professional association

Support for a VET Professional Association

Previous research indicates strong support for a national professional association for VET. Clayton & Guthrie (2011) reported that 91.4% of 817 survey respondents supported the establishment of some form of VET professional association. Ithaca Group (2010) also found overwhelming support for establishing some kind of professional body for VET – 89% of 226 respondents were in favour of a professional association.

This research has both reflected and supported evolving national discussions about a VET professional association. Indeed, in recent years every Australian State and Territory has been involved in those discussions to some degree. Furthermore, States and Territories have been active in sharing their thinking through both formal and informal networks. As well as being a pretty impressive achievement in its own right, this collaboration has also reflected a strong interest in a coordinated national approach to the establishment of a VET professional association.

Potential Benefits of a Professional Association

Strong national support for the idea of a VET professional association is based on a strongly held conviction that such an association will provide significant benefits not only to the people who work in VET but to the sector as a whole. Three major perceived benefits are outlined below.

A Voice for People who work in VET

Research conducted by Ithaca Group (2010) reported that professionals working in VET felt they lacked a strong, united voice in state and national policy debates. A VET professional association promises to provide an important two-way communication channel between VET professionals and policy makers / decision makers. Such an association would achieve three things:

1. It would provide new and important input to policy development from people working in VET.
2. It would advocate for VET Professionals in policy debates.
3. It would keep VET professionals abreast of change by providing timely and relevant information on policy discussions and decisions.

Strengthened Capability of the VET Workforce

Growing commitment to the idea of a VET professional association also arises from an ongoing interest in strengthening the capability, quality and professionalism of the VET workforce.

The challenge of meeting the changing demands of industry, enterprises and learners is constant and influences significantly the evolving capability requirements of VET professionals as they seek to remain highly capable and responsive.

A VET professional association would assist members to respond to these evolving capability requirements by (i) identifying continuing professional learning requirements and (ii) facilitating access to information about high-quality professional development programs and opportunities.

High Standards of Professional Practice and a Professional Identity for VET

While diversity is a significant feature of the VET workforce, a professional association would firstly provide a catalyst for developing clarity around commonalities across the workforce thus contributing to the evolution of a strong VET professional identity. Secondly, it would recognise

and promote good professional practice thus providing models for the sector and the sector's stakeholders.

It would also consider the development of a Code of Practice for VET professionals which would provide a platform for further association services.

Realising the Benefits: A Planning Consensus

Members of the Brisbane Roundtable agreed to progress the idea of a VET professional association. It was agreed that further planning and development of an association would be based on the following key principles.

1. A VET professional association will be a national association.
2. Membership will be open to all VET professionals.
3. The association will identify the needs of its members in both private and public VET organisations.
4. The association will provide services aimed specifically at meeting the identified needs of members.
5. The association will deliver tangible benefits to its members through its services.
6. The association will provide national advocacy for VET professionals.
7. The association will define and promote good professional practice.
8. The association will promote professionalism in the VET sector.
9. The association will work to strengthen the capability of the VET workforce and support access to professional development programs and opportunities for its members.

Progress to Date

In August 2013 a Roundtable of VET representatives from across the nation met in Queensland to extend the national discussion and consider what, if any, next steps might be taken to progress the idea. Representatives included VET researchers, policy makers, training organisations, national bodies, existing professional associations, unions and VET teachers.

While the difficulties and challenges of establishing a professional association were recognised by the Brisbane Roundtable members, there was unanimous support for immediate, positive and practical action.

From this round table a small core working group was formed to work on the development of a business proposal, which provided an outline of the scope of a VET professional association, with a key focus on professionalism, workforce development, advocacy and accreditation. The business proposal was provided to the then Assistant Minister for Education and Training, Senator the Honourable Simon Birmingham in June 2015.

This business proposal had the support of an extensive network of peak VET organisations including TAFE Directors Australia (TDA), the Australian Council for Private Education and Training (ACPET), the VET Development Centre, the Australian Skills Quality Authority and other Key VET organisations.

Attachment 1 References

Clayton, B. & Guthrie, H. (2012) *A VET professional association? The final overview*. TDC, Melbourne.

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Ithaca Group (2010) *A Step in the Right Direction: findings of the scoping project on acknowledging and empowering VET professionals*. A report prepared for ACPET Queensland as part of the Queensland VET Futures Program.