

LEADING AUSTRALIAN BUSINESS

ACCI SUBMISSION TO

SENATE EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS COMMITTEE INQUIRY INTO INDUSTRY SKILLS COUNCILS

ACCI Response to the Skills Australia Discussion Papers







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ACCI Leading Australian Business

ACCI has been the peak council of Australian business associations for 109 years and traces its heritage back to Australia's first chamber of commerce in 1826.

Our motto is "Leading Australian Business."

We are also the ongoing amalgamation of the nation's leading federal business organisations – the Australian Chamber of Commerce, the Associated Chamber of Manufactures of Australia, the Australian Council of Employers Federations and the Confederation of Australian Industry.

Membership of ACCI is made up of the State and Territory Chambers of Commerce and Industry together with the major national industry associations.

ACCI also operates internationally. It represents Australian business in the forums of both the international chamber movement and the international employer movement and is recognised by international bodies as the most representative voice of Australian business organisations.

Through our membership, ACCI represents over 350,000 businesses nation-wide, including over 280,000 enterprises employing less than 20 people, over 55,000 enterprises employing between 20-100 people and the top 100 companies.

Our employer network employs over 4 million people which makes ACCI the largest and most representative business organisation in Australia.

1.1 Our Activities

ACCI takes a leading role in representing the views of Australian business to government, our federal parliamentarians, government agencies and regulators.

Our objective is to ensure that the voice of Australian businesses is heard, whether they are one of the top 100 Australian companies or a small sole trader.

Our specific activities include:

- representation and advocacy to Governments, parliaments, tribunals and policy makers both domestically and internationally;
- business representation on a range of statutory and business boards and committees;
- representing business in national forums including Fair Work Australia, Safe Work Australia and many other bodies associated with economics, taxation, sustainability, small business, superannuation, employment, education and training, migration, trade, workplace relations and occupational health and safety;
- representing business in international and global forums including the International Labour Organisation, International Organisation of Employers, International Chamber of Commerce, Business and Industry Advisory Committee to the Organisation for Economic Co-operation and Development, Confederation of Asia-Pacific Chambers of Commerce and Industry and Confederation of Asia-Pacific Employers;
- research and policy development on issues concerning Australian business;
- the publication of leading business surveys and other information products; and
- providing forums for collective discussion amongst businesses on matters of law and policy.



1.2 Publications

A range of publications are available from ACCI, with details of our activities and policies including:

- The *Commerce and Industry* magazine; an analysis of major policy issues affecting the Australian economy and business.
- Submissions and policy papers commenting on business' views of contemporary issues affecting the business community.
- The Policies of the Australian Chamber of Commerce and Industry.
- The Westpac-ACCI Survey of Industrial Trends the longest, continuous running private sector survey in Australia. A leading barometer of economic activity and the most important survey of the Australian manufacturing industry.
- The ACCI Survey of Investor Confidence which gives an analysis of the direction of investment by business in Australia.
- The Commonwealth Bank ACCI Business Expectations Survey which aggregates individual surveys by ACCI member organisations and covers firms of all sizes in all States and Territories.
- The ACCI Small Business Survey a regular survey of small business conditions and expectations.
- Workplace relations reports and discussion papers, including the ACCI Modern Workplace: Modern Future 2002-2010 Policy Blueprint and the Functioning Federalism and the Case for a National Workplace Relations System and The Economic Case for Workplace Relations Reform Position Papers.
- Occupational health and safety guides and updates, including the National OHS Strategy 2002-2012 and the Modern Workplace: Safer Workplace 2005-2015 Policy Blueprint.
- Trade reports and discussion papers including the Riding the Chinese Dragon and Riding the Indian Elephant Position Papers.
- Education and training reports and discussion papers, including the Skills for a Nation 2007-2017 Policy Blueprint.
- The ACCI Taxation Reform Blueprint: A Strategy for the Australian Taxation System 2004—2014.
- The ACCI Manufacturing Sector Position Paper The Future of Australia's Manufacturing Sector: A Blueprint for Success.
- The ACCI President's Report a periodical on ACCI corporate activities.
- The ACCI Annual Report and Business Review, providing a summary of major activities and achievements for the previous year.

Most of this information, as well as ACCI media releases, submissions and reports, is available on our website – www.acci.asn.au



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2. Introduction

2.1 General Comments

- 1. ACCI will not be making comments on individual Industry Skills Councils (ISCs) in this submission. Individual member organisations will make comment on individual ISCs when and where it is relevant to their industry or business group. ACCI's comments relate to general policy settings for ISCs. These comments reflect feedback received from member organisations that participate across a range of ISCs.
- 2. ACCI agrees that the role for ISCs is integral to Australia's Vocational Education and Training (VET) sector in identifying, endorsing and recording industry benchmarked skills. Additionally, ACCI supports the role of ISCs to undertake industry environmental scans and to support a workforce development approach to building the skills required for the productivity of enterprises.
- 3. Given the important contribution of ISCs to workforce development and skills development, ACCI's comments relate to ways in which the performance of ISCs can be potentially improved. In particular, our comments will focus on:
 - the voice of industry and an industry led system;
 - the composition of ISCs and the industry mix in each one; and
 - consultation processes for effective engagement with industry.

Response to Each Section

4. (a) the role and effectiveness of Industry Skills Councils (ISCs) in the operation of the national training system particularly as it relates to states and territories and rural and regional Australia;

The performance of ISCs varies, and the satisfaction level of employers even varies within the industries covered by an individual ISC. The capacity of an ISC to operate in the national training system depends on its capacity to connect with industry bodies and state Industry Training Advisory Bodies (ITABs) where relevant. The performance/ effectiveness of ITABs also varies, and in many cases their level of coverage differs from the level of coverage in an ISC. This does not mean that ACCI agrees the current coverage in ISCs is right. However, the important point to make is that both ISCs and State ITAB are shown to be successful where there is genuine industry engagement, support and ownership.

In addition, it is recognised that in some ISCs there is insufficient capacity and/or lack of structure to effectively service the needs of industry in all geographic locations such as in rural, regional and remote Australia.



The degree of support for ISCs to work effectively with all states and territories is dependent on industry advisory arrangements within each jurisdiction. In some of the smaller jurisdictions ISCs do not have a presence or any local ITAB/equivalent arrangement in place.

Ideally, ISCs should use the localised intelligence from ITABs, (if the ITAB is effective) to give real meaning to the national work of an ISC. From an industry point of view, the information contained in national scans etc is meaningful if it assists with policy and identification of necessary resources at the local level. No industry is homogenous nationally; there are always some differences due to location, demographic mix, community support services etc.

Some business and industry groups strongly support and actively work with ITABs within their state or territory while other business and industry groups find their ITABs to be ineffectual.

Generally dissatisfaction is found where the ITAB is staffed by individuals who are not appropriately qualified to engage with industry, are overly bureaucratic or favour the voice of individuals without proper contextualisation across a range of businesses. The determination of a sufficient size of sample also acts as a deterrent with some ITABs always using the "usual suspects" for consultation rather than engaging with a broader range of industry players, more reflective of the current state of play in their particular industry.

Attempts to consult with the business community by inappropriately staffed or poorly resourced approaches engender a lack of confidence and willingness to provide feedback at the level and depth required to establish and validate relevant industry standards. Management approaches where industry is given unreasonable timeframes for response/feedback and then there is no acknowledgement that their comments are even taken into account only exacerbate the frustration experienced by some industry players.

Some state and territory ITABs are structured in such a way that there is a misalignment with their national counterparts. This can hamper communication and act counterproductively in Training Package development and environmental scan undertakings. However, it should be noted that ACCI does not suggest that ITABs should be structured as per ISCs. This could be a matter to be included in an evaluation of the performance of ISCs.

If feedback at the local level is of poor quality then generally the ISC's capacity to be effective is hindered.



(b) accountability mechanisms in relation to Commonwealth funding for the general operation and specific projects and programs of each ISC;

ISCs are independent not for profit companies and as such are subject to the scrutiny of the Australian Securities and Investment Commission (ASIC).

The amount of public money provided to each ISC is easily identifiable through government budgetary processes.

While the public funds have robust accountability requirements, what is less transparent is the use to which the money has been put and ownership issues around the assets of the ISCs, what has been the contribution of public funds and what has been the contribution of private funds. In some cases there is also a lack of transparency around the private funds raised and used by each ISC.

Some ISCs are completely transparent and include a copy of their audited financial statements in their publicly available annual report. However, others do not.

Criticisms have been raised that some ISCs do not use public funds for the purposes for which they were intended or use management practices to divert monies away for other projects. These criticisms are anecdotal and are a responsibility of each ISC Board and their Directors to deal with.

There is also a contract management responsibility on the part of the Department of Education, Employment and Workplace Relations (DEEWR) in assuring key contract deliverables have been met. However, in the interests of openness and transparency ACCI would support this information being made public in the form of a report.

5. (c) corporate governance arrangements of ISCs;

Following the last review of ISCs reforms were made to governance arrangements within ISCs. While some ISCs still require some work in this area, generally ISCs have adopted the appropriate legal constitutions, balanced Board composition and accountability processes required of any Board.

Given that before the last round of reforms Boards were comprised of representatives of organisations, many industries not currently represented on Boards that previously held Board positions do not believe they now have an adequate voice in determining priorities, or can influence company directions to ensure their industry is given sufficient attention.

The tension around ensuring the appropriate acknowledgement is provided to representative organisations remains a frustration in many industries and the changes to Board structures, while an improvement in a business sense, has not resolved the problem of how to achieve an equitable balance between industries that must work collectively under a broad banner.



Some industries have the perception that other industries are attempting to dominate them by denying them access to ISC Board positions. Whether this is a reality or a perception it does not create a constructive environment for the work of ISCs and company structures must be such that individual industries are accorded access to democratic decision making processes and funding entitlements based on the evidence based reality of their industry.

Board reform was made in an attempt to resolve some of these cross industry tensions. However, the tensions remain strong and alive in many ISCs. Further work needs to be done outside of Board structures in some ISCs to achieve the correct operational structure in order that the needs of industry are being adequately serviced.

6. (d) Commonwealth Government processes to prioritise funding allocations across all ISCs;

Not all industries agree that the Commonwealth sufficiently funds their ISC to undertake the level of work required to service the numbers of people trained using the Training Packages and products they produce.

Individual ACCI member organisations will provide further comment on this issue in their own submissions.

However, from a policy perspective, ACCI supports a transparent evidence based approach being used to allocate funds without political interference or perceived bias towards a particular industry. For example, it is necessary to ensure that industries that train a large volume of workers have the necessary ISC support in the training work they do.

7. (e) ISC network arrangements and co-operative mechanisms implemented between relevant boards;

No comment.

8. (f) the accrual of accumulated surpluses from public funding over the life of each ISC's operation and its use and purpose;

No comment

9. (g) the effectiveness of each ISC in implementing specific training initiatives, for example the Skills for Sustainability initiative under the National Green Skills Agreement;

ISCs have reporting lines of responsibility towards the National Quality Council, contractual obligations with the Commonwealth and linkages with Skills Australia, which provide a record of their achievements in relation to specific initiatives.

However, their effectiveness in achieving their objectives is not evaluated in any public way despite their multiple authorising environments and status as independent not for profit companies.



In order to build the performance of ISCs and to ensure they meet industry needs there is much to be gained from a public policy sense in undertaking an evaluation of the ISCs in terms of their effectiveness, not just for individual initiatives, but more broadly against how satisfied stakeholders are with their performance in advancing industry agendas. The evaluation should measure the satisfaction of individual industries with the performance of their ISC as well as broader industry satisfaction levels.

Some industry feedback received by ACCI suggests that the dilution of the efforts of ISCs across a range of activities not related to their core activities limits their effectiveness. The policy question that needs to be addressed is whether or not the ISCs are the best vehicle for delivering these programs or whether or not these additional functions detract from their core functions. This question should be more fully explored in an evaluation of the effectiveness of ISCs in meeting industry needs.

If Government decides to undertake an evaluation of the ISCs it should include a measurement of the economic impact of their work. In the UK the Alliance of Sector Skills Councils produced a report, *Evaluating Economic Impact*¹, which applied the Social Return on Investment model (SROI). Similar work should be undertaken in Australia to establish a measurable gauge of the effectiveness of ISCs.

Recommendation 1

Undertake an evaluation of ISCs to ascertain their effectiveness in meeting the individual and collective needs of industry. Evaluate whether their function as contract providers in delivering government initiatives is the most effective use of the public dollar. Test the extent to which the current KPIs of ISCs are able to serve the needs of industry. Measure the economic impact of the work of ISCs.

10. (h) any related matters.

Please see comments in the following sections.

¹ Alliance of Sector Skills Councils, 2010, *Evaluating economic impact*, http://www.sscalliance.org/nmsruntime/saveasdialog.aspx?IID=1070&sID=7



4. The voice of industry and an industry LED SYSTEM

- 11. At the time of the formation of the Industry Skills Councils there was a lot of discussion about what an industry led system meant and today the answer to the question is different but the question remains pertinent to this Inquiry.
- 12. Originally, an industry led system meant a bipartite rather than a tripartite approach to benchmarking workplace skills and the identification of future trends and demands facing VET for use in the development of national and state training plans. That is employer and union organisations together would lead the development of workplace skill standards and the identification of industry trends. Government was to be excluded from the process except to provide the resources for this important function.
- 13. As with many other decisions of government, the most recent example being the development of the Skilled Occupation List (SOL), once established by government for one purpose, departments and agencies use the institution/list for other purposes than what was intended. For example, additional functions not directly part of their core activities are given to ISCs. Confusion arises around whether the ISC is undertaking a core function such as including LLN in Training Packages or undertaking project work on workplace literacy such as in the WELL program and where the focus of work should be.
- 14. If government makes the decision that it wants ISCs to play a crucial role in Training Package development and be a service provider at the same time it needs to be transparent. This decision should only be made after a consultation process with industry to ascertain whether or not this approach supports workforce development in industry or whether it presents a conflict of interest.
- 15. Government tends to treat ISCs as the voice of industry, not as bipartite leaders in a process of benchmarking skills and identifying broad industry trends. There has been considerable unplanned creep around the role of ISCs and they are used for purposes other than their original intention. A (bipartite) industry led system and the voice of industry should not be confused or used interchangeably by government as they are two separate forces.
- 16. Some ISCs overtly communicate themselves to be the voice of industry and promote this attitude amongst stakeholders i.e. rather than being an amalgamation of stakeholder interests. ACCI does not support this view. It is a subtle but important distinction between the important and valid role of ISCs as being at the forefront of the development of training products and identification of industry trends and what the voice of industry is through business and industry organisations.



- 17. ISCs are structures largely dependent on government funding, not membership subscriptions. They are grouped together in sometimes inappropriate groupings and must be all things to all people in order to serve the common good. On the other hand, business and industry groups and unions depend on membership subscriptions for their existence and are there solely to serve the interests of their members. The specific voice of industry in electrical, building and construction, automotive, restaurants and catering etc, is with the relevant industry organisation and consulting an ISC cannot be regarded as yielding the same outcome as engaging with direct source, no matter how well run or efficient that ISC is.
- 18. Business and industry groups provide the collective views of their members across a range of businesses. They act as intermediaries on behalf of the business community of which skills development is only one aspect of their interests. This provides an important context for engagement. Similar arguments could be made for the union movement as well.
- 19. ACCI supports ISCs having a leadership role in the identification of skill benchmarks and industry intelligence but makes the important distinction between this role and the voice of industry in the way government engages with business and industry. Sometimes the two will be one and the same but assumptions cannot be made that this is the case on every matter. Engagement with business and industry associations at a high level is the underpinning pre-requisite for building and expanding systemic capability.
- 20. Meeting Australia's skills needs is not just about stamping out industry "fires" where pressures highlight an issue but also in developing processes and building high quality systems and that have the capability to respond to the totality of industry needs.

5. Consultation

- 21. ACCI reiterates the point that ISCs by their very nature must be all things to all people. Not only must they be shared across a range of sometimes unrelated industries but also they must reach agreement and compromise positions which individual stakeholders do not always fully support but can 'live with' on a practical level.
- 22. Where ISCs are effective they have extensive consultation processes where all industries have access to structures to deal with their issues such as Sector Advisory Committees or equivalents. Similarly they have in place good relationships with state industry advisory structures and reach to local "on the ground" intelligence. They do not rely entirely on electronic and online mechanisms to consult with industry and there is good judgement applied in balancing the views of individual "squeaky wheels" and organisations with substantial membership bases. They do not rely on short meetings held at inconvenient times and attended mostly by Registered Training Organisations (RTOs) complaining about how hard certain industry components are



to teach i.e. responding to how hard competencies are to teach, not how relevant they are to industry. Validation processes are in place that involves sign off from business and industry organisations and unions for both industry standards and the collection of industry intelligence.

- 23. Due to the constantly evolving nature of the Australian economy, rapid diagnosis of emerging skills shortages at a regional level are needed to ensure that training and skilling solutions directly meet the needs of employers and workers. As well, cognisance needs to be made of the cyclical nature of industry. ISCs are committed to conducting an annual environmental scan of the industry sectors under their coverage.
- 24. ITABs should compliment and add value to the industry data collected in this process and should not be duplicating ISC processes. The scans should be robust enough to ensure they can influence Federal/State policy, support and planning processes and that the data can be used by enterprises at the local level. Small and medium businesses find the complexity of consultation and the range of authorising environments confusing with little mutual benefit to their business being obtained in return.
- 25. While of value to government in receiving industry advice, the environmental scans tend to be too generalised to be of value to small and medium sized businesses. Because the ISCs are meeting government contractual requirements, the type of information obtained is driven by the contract not necessarily by how well the information in the scans can be used by industry. All too often scans are written so broadly without sufficient detail to assist industry with workforce development strategies or for Government to allocate resources.
- 26. It should be recognised that ISCs require assistance in the provision of specific industry intelligence on workforce development matters; this is best served through engagement with business and industry associations. There is a need for ISCs to validate their "intelligence" through business and industry organisations and/or ITABs to market test it for validity with enterprises. At all times the consultation process needs to be transparent.

Recommendation 2

ACCI recommends the consultation process for gathering industry intelligence is improved and validated and tested with business and industry groups and all types and sizes of businesses.



6. THE INDUSTRY MIX IN EACH ISC

- 27. In 2003 the ANTA Board agreed to introduce new industry advisory arrangements by reducing the former 29 bodies to 10.2. The decision to group particular industries together was based on streamlining Training Package arrangements, not on what was necessarily the best fit for industry.
- 28. At the time of the formation of Industry Skills Councils, ACCI advised ANTA that in certain instances, the proposed arrangements were unworkable from an industry perspective or lacked the support of relevant employer organisations particularly in relation to automotive, hospitality and retail sectors.
- 29. In 2008 the Nous Group undertook a forum with the Industry Skills Councils on behalf of Skills Australia. The report states:

"In a number of forums comments were made about occupations not being confined to an industry covered by a particular ISC. The comment was made that the ISC configuration was developed in relation to the training package development process. The additional comment was made that the arrangement limits the ability to identify skills needs and address skills shortages because these occur in enterprises not aligned with the ISC industry areas. Skills Australia would be advised to consider the implications of the current ISC industry configuration³."

- 30. ACCI supports the views of the ISCs that have been expressed to Skills Australia. In the UK there are 25 equivalent Sector Skills Councils, in New Zealand there are 39 equivalent Industry Training Organisations. Apart from streamlining Training Package processes, there does not appear to be an evidence base supporting the argument that 11 is the right number of Australian ISCs. There also does not appear to be an evidence base to support the current industry configuration of ISCs.
- 31. An evaluation of the current industry configurations of the ISCs has never been undertaken and ACCI suggests it is timely to do so to ensure the most appropriate industry groupings are in place to best serve the interests of industry.

Recommendation 3

ACCI recommends that DEEWR undertakes an evaluation of the current industry configurations of ISCs to ascertain the effectiveness of the current structure of ISCs in serving the needs of industries.

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² Australian National Training Authority (ANTA), (2003). *Annual National Report of the Australian Vocational Education and Training System*. Brisbane, Qld: http://www.dest.gov.au/NR/rdonlyres/66BABD01-A410-40A7-86A2-01EC07CCDC17/11614/13708ANTAANR VET04 LR F.pdf, p78

³Nous Group, 2008, *Industry Skills Councils – Report on Facilitation of Forums* http://www.skillsaustralia.gov.au/PDFs_RTFs/ISCFinalReport.pdf p 27



Conclusion

32. ACCI believes ISCs play an integral role in providing industry endorsed training products and analysis on industry trends to support Australia's Skills Framework. Their purpose is to serve the needs of industry so that productivity can be increased and the best use made of human capital. They play an integral role in Australia's industry led training system.

Business and industry groups, however, remain the specific voice of industry.

ACCI recommends:

- Undertake an evaluation of ISCs to ascertain their effectiveness in meeting the
 individual and collective needs of industry. Evaluate whether their function as
 contract providers in delivering government initiatives is the most effective use of
 the public dollar. Test the extent to which the current KPIs of ISCs are able to
 serve the needs of industry. Measure the economic impact of the work of ISCs.
- ACCI recommends the consultation process for gathering industry intelligence is improved and validated and tested with business and industry groups and all types and sizes of businesses.
- ACCI recommends that DEEWR undertakes an evaluation of the current industry configurations of ISCs to ascertain the effectiveness of the current structure of ISCs in serving the needs of industries.



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