

As a TAFE Educational Manager of a mid-sized AMEP contract I welcome the opportunity as an individual, and not as a representative of the TAFE I am employed by, to make this submission to the Parliamentary Joint Committee of Public Accounts and Audit *Inquiry into The Contract Management Frameworks Operated by Commonwealth Entities*, specifically with reference to **Auditor-General Report No. 37 2023–24 Administration of the Adult Migrant English Program contracts** (henceforth **Report 37**).

**Please withhold my name. I am happy for my submission to be published on the inquiry website. I would also like my submission to be read by the committee and, if relevant, sections to be quoted in the report.**

### **Background.**

The initial design of the current AMEP contract was the work of the Department of Education and Training and it was not fit for purpose despite extensive feedback pointing out the inherent flaws in the contract provided by a range of interested parties when a draft of the intended Business Model was released for feedback by the Department of Education and Training.

### **Issues with the AMEP contract released by the Department of Education and Training**

#### **A) Issues created due to no Student Management system being in place**

- There was no accompanying Student Management System in place to allow providers to create class rolls, to record attendance and to generate reports. Instead, providers were required to record student attendance on spreadsheets, an enormous undertaking given the number of classes and students involved.
- Providers were expected to record the start and finish time of each student attending class for the day in 15-minute blocks and record this on class rolls and then transfer the information to spreadsheets. As providers were only to be paid on actual hours attended this appeared to be an ill-advised requirement prepared by bureaucrats to save money with no knowledge of how an AMEP class operates. For example, in following this new requirement, a class would commence, and the class teacher would have to stop the class while they recorded the start time of the late comer and also enquire as to why they were late. This was repeated on a number of occasions in each class each day because a high percentage of AMEP students are suffering from Post Traumatic Stress Disorder (PTSD), depression, anxiety disorders and a number of physical ailments. It's to their immense credit that they managed to get to class at all even if they were a little late. In short, this requirement significantly interrupted the smooth flow of a class each day and resulted in teachers having to transfer this information to spreadsheets after class, interfering with their preparation and marking time. In short, this requirement worked against achieving positive educational outcomes for students. Further, limited, if any, instruction or support was provided by the Department of Education and Training.

- Eventually, in response to this, TAFE hired an outside coder to adapt the organisation's Student Management System in order to be able to record student attendance and start and finish times as well as reasons for student lateness. This could then be uploaded to the Department of Education and Training. However, this system required absolute precision and required the use of the decimal clock. If a full stop or comma was omitted or in the wrong place or the time was incorrectly recorded the data could not be uploaded. This required the coder to continue to be hired for a much longer period of time at a very high hourly rate in order to produce daily exception reports that were provided to teachers who had made an error (e.g. no full stop where one was required).
- This solution took considerable time and effort to perfect at very significant cost to TAFE and required consistent training of a large team of teaching staff who were frustrated by the whole situation and very stressed with these requirements and with the use of the ACSF.

**B) Issues arising from the introduction of the Australian Coare Skills Framework (ACSF) for assessing student achievement.**

- For the Initial Assessment of new students coming into the AMEP and for the measurement of student progression, use of the ACSF was mandated.
- The mandated use of the ACSF was presumably initiated to bring the AMEP in line with the SEE program based on recommendations made in the ACIL Allen Consulting report **AMEP & SEE Programme Alignment** prepared at the behest of the Department of Education and Training and delivered on 22<sup>nd</sup> May 2015. However, this Framework was designed for use with native English speakers and not for English as an Additional Language learners, despite there being the ISLPR and IELTS frameworks, among others, designed specifically for English as an Additional Lanaguage learners. AMEP teachers and Initial Assessors found this framework difficult to work to. Additionally, it did not cater for lower proficiency level learners who make up the majority of AMEP learners, it was misdirected, unwieldy and excessively complex to administer and report against, it had no assessment tasks to support it's use and had not been developed as an assessment tool and had the potential to misrepresent the actual level of a student's actual English Proficiency level.
- Aside from use in Initial Assessments, AMEP students were required to undergo an ACSF assessment every 200 hours of tuition. Due to absences and continuous enrolments, each student would reach the 200- hour mark at different times and would require an ACSF assessment while the lecturer was also trying to teach the remainder of the class.
- Further compounding the problem was the fact that the Department of Education and Training had provided no method by which to calculate when a student had actually reached 200 hours of tuition. As a consequence, the Principal Lecturer was driven to the point of emotional collapse because she was spending all weekend manually calculating when the students in each of a great many classes had reached 200 hours of tuition so that the lecturers could be informed of this on Monday morning when they returned to work.

- In addition, students were required to undertake curriculum assessments when they had reached the volume of learning for the unit they were studying in. Again, due to absences and continuous enrolments, students reached the volume of learning at different times. Consequently, teachers could be administering an ACSF assessment to 1 or 2 students, curriculum assessments for other students while, at the same time, trying to teach the rest of the class.
- At this time, we had a considerable number of AMEP students withdraw and, when contacted to ask them why, they said too many assessments and too many others doing assessments while the teacher was trying to also teach. I believe that other providers were experiencing the same problems and that the AMEP was on the brink of collapse.
- As manager, I bore the brunt of the constant barrage of complaints by teachers asking why can't passing the curriculum assessment be used as proof of student progression rather than having to have students undertake both curriculum and ACSF assessments.
- I had no answer for them apart from "that is what the contract requires"
- Due to continuous complaints by providers, the Department of Education and Training, eventually allowed for ACSF assessment to be undertaken at the end of the term in which the student reached 200 hours of tuition but this only compounded the problem as the teacher would be trying to administer both ACSF and Curriculum assessments every day towards the end of term as well as teach those who had not reached 200 hours of tuition or and/or had not received the required volume of learning for the unit.
- I have been an Educational Manager for nearly 20 years, and I have never seen a work group so stressed, exhausted and despairing to the extent that some would sit sobbing at their desks and others would be found crying loudly in the stairwells.

### **C) Issues in relation to Key Performance Indicators**

- There were 4 Key Performance Indicators (KPI's) required to be met in the contract commencing July 1, 2017, down from 13 in the previous contract operational before the commencement of the new contract on July 1, 2017, due presumably, to recommendations made in the ACIL Allen Report of 2015.
- In that report, an explicit statement of AMEP goals were made as follows:  
*"The AMEP aims to promote and support the acquisition of English language skills by all eligible adult migrants and humanitarian entrants, through the provision of timely and quality English language services. Through language tuition, the programme aims to produce outcomes in relation to social participation, economic wellbeing, independence, personal wellbeing, all contributing to settlement within, and integration into, the broader Australian community".*
- In response to this report the Australian Council of TESOL Associations proposed five measurable outcomes for the AMEP- "eligible migrants' participation, learner English gains, student

satisfaction, provider quality and a sound and consistent evidence base to support Outcomes 1-4”

- Four KPI's were included in the contract commencing on July 1, 2017, these being
  - KPI 1 Participation – 90% of eligible clients who complete an Initial Assessment in AMEP or are referred to DL actually commence in those programs
  - KPI 2 Attainment- 80% of clients in the Pre-employment and Social English streams attain 1 ACSF indicator per 200 hours of tuition
  - KPI 3 – Data Timeliness- 95%of data is recorded and reported in a form required by the Commonwealth within the required timeframes
  - KPI 4 Accurate Assessment -80% of client outcomes are accurate against the ACSF.
- **Commentary on the KPI's**
  - The reduction in KPI's from 13 to 14 was welcome but the effect of the 4 KPI's were problematic'
  - KPI 1 – 90% of eligible clients who complete an Initial Assessment in AMEP or are referred to DL actually commence in those programs
  - placed the responsibility on to the provider for the actions of independent actors with their own agency and did not address the issue of eligible client participation. Under the Department of Education and Training, reference to the AMEP was not included on migrant visa grant letters as was the case when the AMEP was managed by the Department of Immigration and Citizenship. To the best of my knowledge, the Department of Education and Training did nothing to liaise with the relevant Commonwealth Department to ensure that reference to the AMEP was reincluded in the visa grant letters. As a result, word of mouth became the most common way for eligible migrants to find out about the AMEP and, consequently, the majority of eligible migrants did not know about the AMEP and it was left to the provider to promote the program in as many ways as possible, taking time and resources away from the core mission of the AMEP of teaching English in the context of settlement, including employment. This is despite the fact that the AMEP was immensely valuable to those who did know about it and participated. The following extracts from two major reports clearly indicated the value of the AMEP.

*“The reports, [Language training and settlement success: Are they related?](#) (2010) and [Adult Migrant English Program Longitudinal Study](#) (2015), emerge from a five-year, longitudinal study of migrants as they learned English in the AMEP and then continued their lives in the community. Led by*

*linguistics professors Lynda Yates and Ingrid Piller and published by the AMEP Research Centre at Macquarie University, the study was conducted in two phases —2008-2009 and 2011-2014 —and followed one cohort of students from their time in the AMEP for up to five years, and another for a period of up to 18 months. Most participants were “very positive” about the program, the study found. Most felt that it had not only improved their English but their confidence to live in Australia. Many felt particular bonds with their teachers, and with friends they had made in class. Many saw the AMEP classroom their primary or only source of information about Australian culture, government and society, and the only place where they spoke English with native speakers (their teachers and counsellors), or at all.”*

- KPI 2 – 80% of clients in the Pre-employment and Social English streams attain 1 ACSF indicator per 200 hours of tuition attain resulted in a very significant increase in the paperwork required of AMEP teaching staff and, as referred to earlier, when the ACSF Assessment was allowed at the end of the term in which the students reached 200 hours of tuition, instead of in the week they reached 200 hours of tuition, the problem was compounded because teachers were required to assess against the curriculum assessments and the ACSF assessments and, as a result of absences and continuous enrolment, teachers were also left to also try and teach a class for those who had not reached 200 hours of attendance and those who had not received the volume of learning in order to be able to undertake curriculum assessments. As also referred to earlier, this resulted in an exodus of students due to the over assessment and the chaotic nature of classes and teachers were left in the position of not being able to concentrate on their core business of teaching English in the context of settlement. Added to this was the punitive nature of the auditing of ACSF assessment judgements during File verification which left teachers in the position of teaching to the tests. This was totally educationally unsound and very detrimental for the students who were not receiving the depth and breadth of English language learning required to successfully negotiate the demands of everyday life in Australia and to be involved in the social, economic, political and cultural life of their new country.
- KPI 3 Data timeliness- 95%of data is recorded and reported in a form required by the Commonwealth within the required timeframes was not measured during information provided for preparation of the Annual Reports. I am unsure as to whether any other AMEP providers hired coders to be able to record student attendance and the start and finish time of each student each day. However, I do know that before this very costly solution was decided upon, developed and implemented

some AMEP teachers were needing to record data on 12 different spreadsheets when they were teaching in more than 1 class or were teaching in a mixed level class. Consequently, it is not hard to envisage that the Department of Education and Training was drowning in a sea of spreadsheets submitted by providers.

- KPI 4 - Accurate Assessment -80% of client outcomes are accurate against the ACSF. This caused a great deal of stress for staff, despite some initial training being given by the auditors, Linda Wyse and Associates (LWA). This was because the ACSF Framework is a voluminous document which takes considerable time to learn, and the Initial Assessment team were left terrified that they would make the wrong decisions regarding the level of the student across the 5 indicators at each level as they needed to hit the ground running on the first day of the new contract feeling very much underprepared. As referred to earlier, the ACSF was developed for native English speakers, not English as Additional Language learners and, as such, was not fit for purpose and, it is assumed, it was implemented in the mistaken belief that the AMEP and SEE programs could be brought into alignment. AMEP teachers also felt unprepared and were particularly concerned as to how they were going to assist students achieve and ACSF indicator when Humanitarian visa holders comprised more than 55% of the student group on some major campuses and the majority of these were from Non Roman Script background countries, they were illiterate in their own language, they were often from small regional areas of their home country and, teachers had to begin teaching them to read, write and pronounce the letters of the alphabet. In most cases, they had to teach these students how to hold a pen or pencil and how to form the shape of a letter of the alphabet with it.

When the AMEP was transferred to the Department of Home Affairs it was a breath of fresh air. Home Affairs, within a very short period of time:

- put on hold KPI's, 2,3 and 4
- put an end to the requirement to record the start and finish time of each student which allowed us once again to record student attendance on ARMS
- began to provide data on new Humanitarian arrivals for the month, something the Department of Education and Training never did.
- kept us updated with frequent Service Provider Communiques and Administrative Advice
- understood and supported providers to meet the settlement needs of clients
- convened quarterly national AMEP Settlement Provider meetings
- allocated various contract holders to different teams and monthly meetings with our Contract Manager and associated team members were convened.

Home Affairs continues to provide this array of services as well as:

- guiding providers through the COVID Pandemic and assisting providers to continue to operate instead of going under
- providing reams of data on clients in our contract regions eligible for the AMEP who have never registered for the AMEP.
- supporting the settlement focussed activities of providers
- assisting in solving various problems as they arise.
- always responding in a timely manner when information or advice is required
- facilitating the return of AMEP information on visa grant letters.

In conclusion, I believe that the Department of Home Affairs was criticised in the ANAO report for issues that were inherent in the 2017 AMEP contract and the manner in which it was managed by the Department of Education and Training.

However, I fear that, as the Request for Tender is due out this quarter, some of the ANAO criticisms will result in contract requirements that may result in some of the worst aspects of the 2017 contract being reintroduced such as the reintroduction of ACSF assessments as a measure of student attainment as well as having the continued requirement of curriculum assessments.

As a manager of a TAFE AMEP program, I see the enormous benefits it brings to participants and the hard work put in by staff to enhance the learning of their students.

To see this jeopardised again would be to the extreme detriment of the AMEP, to its students and staff and to the cause of successful multiculturalism in Australia.