CHAPTER 8

ASSURING QUALITY IN VET PROCESSES AND OUTCOMES

The National Training Framework

8.1 The importance of the National Training Framework (NTF) to the quality of VET processes and outcomes is underscored by ANTA's description of the Framework as 'the backbone of the national vocational education and training system'.[1] Its two key elements, the Australian Recognition Framework and National Training Packages, incorporate principles, national standards, and protocols intended to provide comprehensive quality assurance across the national VET system. DETYA comments that:

> …the National Training Framework provides the basis for states and Territories to implement consistent arrangements for quality assurance and ongoing quality improvement in the VET sector. It also provides a basis for national monitoring of quality assurance.[2]

8.2 ANTA also advises that the National Training Framework provides two of the three particular quality assurance mechanisms underpinning New Apprenticeships: the registration of the training provider under the ARF arrangements and the endorsement of the Training Package. The third quality assurance process is the registration of the training agreement.[3]

8.3 Under the National Training Framework, states and territories are responsible for the registration and quality assurance of registered training organisations (including monitoring performance and outcomes across all providers within their jurisdiction). The National Training Quality Council (NTQC), formerly the National Training Framework Committee, is responsible for processes associated with the development, endorsement and quality assurance of National Training Packages. In addition, the NTQC has a responsibility for providing information and advice to the ANTA Board on the operation of the Australian Recognition Framework in each state and territory for inclusion in reports to the ANTA Ministerial Council.

The Australian Recognition Framework

8.4 The fundamental purpose of the Australian Training Framework (ARF) is to ensure quality in both VET processes and outcomes. The ARF is also a key strategy to enhance labour mobility by ensuring national consistency in, and national recognition

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1   Submission 107, Australian National Training Authority. vol.5, p.1454

2   Submission 68, Department of Education, Training and Youth Affairs, vol.3, p.769

3   Submission 107, Australian National Training Authority. vol.5, p.1466

of, VET qualifications; and to facilitate the development of a training market through streamlined processes for national registration and recognition of VET providers.

8.5   The concept and the objectives of the Australian Recognition Framework received strong support in submissions from most stakeholders. Joining DETYA and ANTA, the Australian Chamber of Commerce and Industry and its members expressed their strong support for the National Training Framework and all underpinning frameworks and strategies, listing the Australian Recognition Framework and mutual recognition arrangements among elements particularly supported.

8.6   However, implementation problems with the Australian Recognition Framework are undoubtedly some of the more serious issues emerging from the Committee's inquiry. Submissions and other evidence identify three aspects of the Framework that limit its effectiveness in ensuring quality in VET, in providing for labour mobility, and in developing a national training market. These are the adequacy of the content of the Framework documentation, particularly the standards contained therein; the rigour with which states and territories have applied standards in VET provider registration, carried out audits and applied available sanctions; and the capacity of the Framework to achieve national consistency.

8.7   The Committee is very concerned that ANTA and DETYA, both of which have been aware for some time of the inconsistencies and legal difficulties impeding mutual recognition, did not draw these problems to the Committee's attention. DETYA, describing the Australian Recognition Framework in its submission, claimed that 'A provider registered in any state or territory in accordance with the standards receives recognition by all states and territories and the qualifications that it awards are nationally recognised.'[4] This is clearly not the case.

8.8   Both DETYA and ANTA in their submissions present an overly positive picture of VET in Australia, and are less than forthright about problems in the VET system, something the Committee regards as a serious matter. In particular, both organisations failed to inform the Committee of legal opinion that had been received advising of significant legal impediments to the effective operation of the Australian Recognition Framework. Acknowledgment of this was made only after the matter had been raised in Senate Estimates hearings. This issue is discussed in more detail later in this chapter.

8.9   Both organisations need to be aware in providing submissions and evidence to the Committee that the Committee will act if it believes attempts are being made to mislead it.

8.10   Recent (30 June 2000) ANTA MINCO decisions aimed at achieving a fully integrated national VET system confirm the problems with the VET system which the

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4   Submission 68, Department of Education, Training and Youth Affairs, vol.3, p.767

Committee's inquiry has uncovered and which are detailed below and in other parts of this report. The ANTA MINCO resolutions cover a range of national consistency and quality assurance issues including regulatory arrangements underpinning mutual recognition. While action resulting from these resolutions may go some way to alleviating some of the problems in the system, the Committee believes much more proactive and strategic action is needed.

Adequacy of Standards in the Australian Recognition Framework

8.11   A view put to the Committee in several submissions and in oral evidence is that the Australian Recognition Framework (ARF) standards with which VET providers are required to comply in order to become registered, and to maintain registration, are inadequate. They are described as being more concerned with management of training rather than the quality of training delivery, and as systems or process oriented.

8.12   Schofield, in her recent reports, raises two issues in relation to the adequacy of ARF standards. The first is the adequacy of the specification of training delivery and assessment standards in the ARF. The second is whether the outcomes are actually being achieved.

8.13   Commenting on the first issue, Schofield identifies as a problem the assumption in the ARF that teaching and learning standards are subsumed within and determined by each Training Package.[5] This in turn assumes that each Training Package makes explicit the standards of 'teaching and learning' and that collectively they do so consistently. Schofield's view is that this is patently not the case and that this circularity in the way training delivery standards are dealt with in the VET system means that there are, in effect, no national training delivery standards.

8.14   The ARF standards are, according to Schofield, the result of a series of compromises about which national registration standards all Australian governments were willing at the time to support. She assesses the Standards as being low minimum standards, and, in the light of the experience gained from their implementation for more than two years, not adequate.

8.15   Schofield concludes that neither the National Product/Service Standards for Training Delivery under the ARF, nor their associated evidence requirements, are adequate to ensure quality training delivery and quality learning outcomes.

8.16   Schofield recommends that the ARF should be amended to distinguish more clearly between quality of management processes and quality of training, and to lift

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5   Schofield uses the terms 'teaching' and 'learning' standards. The Committee has adopted the term 'delivery' standards when referring to the need for an organisation to be skilled in teaching, learning, interpreting curriculum or National Training Packages and devising teaching strategies and teaching programs to deliver the training products within the scope of its registration.

and broaden the scope of standards and evidence requirements for training and assessment.[6]

8.17 A NSW Government representative similarly comments on the weakness of service delivery standards:

> Some years ago, when we were devising the basic assessment standards, New South Wales made a very strong push for a strong teaching and learning compliance standard in the ARF; that was, that an organisation needed to be skilled in teaching, learning, interpreting curriculum or training packages and devising teaching programs to deliver the training products that it was being registered for. In my view, the compliance standard in relation to teaching and learning in the ARF is still relatively weak. If there is one particular thing that the ARF needs to be revisited for, it is that particular standard....[7]

8.18 Commenting on the second issue, Schofield observes that the ARF depends heavily on a complex front-end regulatory process, with an over-reliance on checking the quality of paperwork and processes with little attention to evaluating the quality of training outcomes.[8]

8.19 In her Victorian report she further observes that National Product/Service Standards for Training Delivery Nos. TD1, TD2 and TD3[9] are more concerned with systems and potential than demonstrated capability in practice, and that both the Standards for Registration and the Training Delivery Standards fail to distinguish between evidence that a provider has the systems in place to perform against the standard and is therefore *ready* to provide training, and evidence that the provider does *actually perform* against the standard. Schofield also argues that TD5 is more about the management of training than training delivery. TD3, on assessment, appears, according to Schofield, to be the only standard against which a provider's actual practice may be tested (see Table 8.1 below).

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6   K Schofield, *Report of the Independent Review of the Quality of Training in Victoria's Apprenticeship and Traineeship System*, May 2000, pp.x, 11-14

7   Dr G Wilmott (NSW Department of Education and Training), *Hansard,* Canberra, 5 July 2000, p.812

8   K Schofield, *Report of the Independent Review of the Quality of Training in Victoria's Apprenticeship and Traineeship System*, May 2000, p.v

9   TD1: Resources for delivery and assessment; TD2: Identifying learning needs and designing training products; TD3: Assessment

Table 8.1: National Product/Service Standards for Training Delivery

TD1 Resources for delivery and assessment	Resources for the delivery, assessment and issuance of qualifications, in the area(s) of recognition sought, meet the requirements of the relevant endorsed Training Package(s) and/or accredited course.
TD2 Identifying learning needs and designing training products	The organisation can demonstrate its ability to identify the learning needs of diverse clients and to plan/implement appropriate learning strategies. This includes the capacity to design and adapt training products in the area(s) of recognition sought, enabling the endorsed components of the Training Package(s) and/or the accredited course(s) to be achieved.
TD3 Assessment	The organisation can demonstrate its capacity to conduct or facilitate assessment which meets the endorsed components of relevant Training Package(s) and/or the accredited course(s) in the are(s) of recognition sought.
TD4 Client services	The organisation provides timely and appropriate information, advice and support services which assist learners/clients in achieving their desired outcomes.
TD5 Issuance of Qualifications and Statements of Attainment	Qualifications and Statements of Attainment are issued in accordance with the requirements of the AQF Implementation handbook, the Guidelines for Training Package Developers and specific qualification requirements of the relevant endorsed Training Package(s) and/or the accredited course(s).

8.20   The WRAPS Industry Training Council also takes up the issue, arguing that the ARF cannot ensure the quality of the qualifications being issued when it fails to monitor any of the outputs of the system. The WRAPS ITC view is that the 'quality' of a training organisation's management processes is not automatic assurance that it can produce quality outcomes. In effect, this means that there is no effective check to ensure that the provision of service is adequate and the issuance of qualifications is valid.[10]

8.21   The Committee agrees that the test as to whether the provider actually performs against the standards is not simply a question of having delivery and assessment skills and using them. It is also about whether persons who are assessed as

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10   Submission 44, Wholesale, Retail and Personal Services Industry Training Council Inc, vol.2, p.395

competent against the standards are *actually competent.* In other words, whether the training outcomes as set out in the training package are really being achieved. The importance of this issue should not be underestimated. It goes to issues about public confidence in the value of skills achieved through national training packages, about the portability of skills and qualifications, and about the value being gained for the substantial, yet inadequate, investment by governments, employers and individuals in vocational education and training.

Australian Recognition Framework implementation by states and territories

8.22   There are a range of views on whether the state training authorities are adequately carrying out their responsibilities of registering, monitoring and auditing Registered Training Organisations (RTOs). The state training authorities themselves are positive about their achievements. In Western Australia, for example, a survey found 'a high level of overall satisfaction with the new quality assurance system.'[11] South Australia admits that the new arrangements were 'a significant challenge', but adds that 'overall the conduct of RTOs and New Apprenticeship Centres did not lead to serious doubts about the quality of training or the policy directions...'[12] Victoria also admits that the growth of RTOs and New Apprenticeships since 1998 created a 'particular challenge for monitoring and quality assurance'.[13]

8.23   Other submissions indicate that there is a widespread view that state and territory authorities are less than thorough in administering the Australian Recognition Framework. Concerns and criticisms relate to the lack of consistency, rigour and integrity of processes for registration, performance monitoring and auditing of providers.

8.24   The Victorian Employers Chamber of Commerce and Industry, for example, considers that 'inadequacies in the current administration, assessment and audit arrangements... must be addressed to ensure employer confidence in the National Training system.'[14] Schofield's recent review of Victoria's apprenticeship and traineeship system found that the confidence of stakeholders in the registration standards is 'shaky'.[15] The Australian Retailers Association maintains that the state training authorities have been 'tardy in coming up with an effective quality assurance mechanism.'[16] Construction Training Australia said that 'state/territory Training

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11   Submission 114, Ministry of the Premier and Cabinet [WA], vol.6, p.1820

12   Submission 129, Government of South Australia, vol.7, p.2100

13   Submission 119, Government of Victoria, vol.7, p.1897

14   Submission 125, Victorian Employers Chamber of Commerce and Industry, vol.7, p.2026

15   K Schofield, *Report of the Independent Review of the Quality of Training in Victoria's Apprenticeship and Traineeship System*, May 2000, p.11

16   Submission 124, Australian Retailers Association, vol.7, p.1995

Authorities have to be more rigorous and meticulous in conducting assessments for registration of providers and their subsequent compliance audits.'[17]

8.25   TAFE Directors Australia has significant concerns with Australian Recognition Framework processes:

> Accreditation of RTOs does not appear to be based on their ability to deliver a training program. In many cases RTOs have no staff expertise, no training resources, no equipment or facilities and lack credibility in the industry. Evidence from the Schofield Queensland review found that 19 percent of trainees had received no training at all.
>
> Audits of RTOs in their states and territories are not rigorous. Sanctions exist only in theory. Too much reliance is placed on front-end regulation processes which failed in Queensland.
>
> Greater attention must be paid to evaluating the quality of training outcomes.[18]

8.26   Wodonga Institute of TAFE maintains the audit and inspection process is further compromised because each state has different processes and standards:

> As an organisation operating in a regional area, in thin markets and on a state border, we have experienced first hand the inconvenience and inconsistencies imposed by these differences.[19]

8.27   Other comments from a range of stakeholders indicate the extent of concern about registration, monitoring and auditing arrangements under the Australian Recognition Framework:

- some arrangements such as the outsourcing of compliance auditing has led to conflicts of interest and unethical behaviour;

- no industry expertise sought, or involvement in, the registration of training providers, leading to RTOs being able to deliver outside their area of expertise and diminishing the value of training in the eyes of the industry;[20]

- staff of the regulatory authorities may not be well qualified or experienced in education and training and concentrate more on administrative matters than the quality of learning outcomes;[21]

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17   Submission 60, Construction Training Australia, vol.3, p.667

18   Submission 136, TAFE Directors Australia, vol.8, p.2255

19   Submission 43, Wodonga Institute of TAFE, vol.2, p.380

20   Submission 35, NSW Retail, Wholesale and Associated Services Industry Training Council Ltd, vol.2, p.314

- the current system of validation is based on a paper trail... The Department of Training has neither the expertise nor the staff to adequately monitor RTOs;[22]

- the audit process for RTOs relies largely on a mechanistic check of process (such as record keeping) rather than also including a review, or spot check, of the quality of the training process;[23]

- the main concern with the registration and auditing of training providers is that it is process oriented and not outcome based. There seems to be an over emphasis on an orderly paper trail, which while it is important that appropriate processes and records are documented, should not be at the expense of ensuring that there is adequate delivery of the training.[24]

- RTOs are able to add Training Package qualifications to their scope of registration on the strength of 'proof of purchase' of the Package without in any way having to demonstrate their capacity to deliver, to industry requirements, those qualifications.[25]

- ….providers have been observed not meeting safety precautions (e.g soft footwear; cleanliness; no overalls) for particular programs. Comprehensive, systematic audit processes should address these matters … such processes do not appear to be in place.[26]

- not only are governmental and regulatory bodies ill-equipped for the task of monitoring, (proactively) interrogating and enforcing standards and actions of 'providers,' they seem disinclined to play this role.[27]

8.28   Schofield's report corroborates many of these concerns. She describes how employer bodies are seeking to set up their own endorsement schemes:

> An increasing number of industry (employer) bodies are arguing for their own industry-specific standards and are seeking to become approving bodies for registration or looking to establish systems for provider endorsement following registration. While some of this activity may be motivated by the wish to develop a commercial product or extend their

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21   Submission 22, Mr R Seidel, vol.1, p.171. Similarly Submission 44, Wholesale, Retail and Personal Services Industry Training Council Inc, vol.2, p.396. Submission 122, New South Wales Teachers Federation, vol.7, p.1940

22   Submission 86, Western Australian Hospitality and Tourism Industry Training Council Inc., vol.5, p.1157

23   Submission 28, Business Skills Victoria, vol.1, p.229

24   Submission 46, Agriculture and Horticulture Training Council of SA Inc., vol.2, p.428. Similarly Submission 59, Australian Council for Private Education and Training, vol.3, p.617

25   Submission 35, NSW Retail, Wholesale and Associated Services Industry Training Council Ltd, vol.2, p.314

26   Submission 103, Australian Education Union (Tasmanian Branch), vol.5, p.1407

27   Submission 80, Victorian TAFE Students and Apprentices Network Inc., vol.4, p.1023

power and influence, much is the result of industry frustration with current provider registration and a genuine desire to lift the quality of providers operating within their industry.[28]

8.29   Many submissions argue that employers and industries should be more officially involved in quality assurance, not least because of the limited resources and expertise (as they see it) of the state training authorities. Some speak generally of 'industry'; others mention a possible role for ITABs.[29] For example, the Forest and Forest Products Employment Skills Company Ltd recommend that national and state ITABs have input into RTO registration criteria, and that state ITABs have input into the consideration of applications for registration.[30] The Rural Training Council of Australia points out that in some states the Rural ITAB is already involved in registration, in others not.[31]

8.30   On the other hand, the Australian Retailers Association comments that:

> …attempts to rectify this situation by placing greater onus for quality assurance on under-resourced ITABs is not the answer...
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> ...Nor is the introduction of generic quality assurance processes underpinning accreditation which requires significant investment and time. Greater commitment by state training agencies to actively involve industry in the accreditation of RTOs and the development and implementation of audit processes is required.[32]

8.31   Some argue that ANTA should have a more central role in quality assurance.[33] The Housing Industry Association believes auditing should be outsourced to organisations such as the Australian Quality Council that can work alongside a successful non-public training provider.[34] The Australian Council of Trade Unions argues that the industry parties of trade unions and employers should have a role in auditing RTOs,[35] while the Australian Education Union calls for an enhanced role in registration and auditing to be given to a national body such as the former National

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28   K Schofield, *Report of the Independent Review of the Quality of Training in Victoria's Apprenticeship and Traineeship System*, May 2000, pp.10-11. Also for example Submission 86, Western Australian Hospitality and Tourism Industry Training Council Inc., vol.5, p.1157: 'The Industry Training Council would like to see the wider application and enforcement of the industry recognition systems...'

29   Submission 38, National Mining ITAB, vol.2, p.334

30   Submission 117, Forest and Forest Products Employment Skills Company Ltd, vol.6, p.1869

31   Submission 75, Rural Training Council of Australia Inc., vol.4, p.930

32   Submission 124, Australian Retailers Association, vol.7, p.1991

33   For example, Mr T Ranford (Agriculture and Horticulture Training Council of SA Inc.), *Hansard*, Adelaide, 16 May 2000, p.576

34   Submission 93, Housing Industry Association, vol.5, p.1263

35   Submission 140, Australian Council of Trade Unions, vol.9, p.2504

Training Framework Committee.[36] The National Tertiary Education Industry Union advocates a national accreditation system for all VET provision.[37]

8.32   The South Australian Government comments on variations in the quality of audit processes and audit criteria operating in various states/territories.[38] The Queensland Department of Employment, Training and Industrial Relations believes a key issue is the lack of effective exchange of information between the states and territories about the outcomes of registration and audit of specific providers.[39] The CFMEU's experience is that none of the states are complying with the agreement reached at the ministerial level.[40]

8.33   Most of these claims are supported by the ANTA CEOs in their recent report to ANTA MINCO on national consistency.[41]

8.34   The CEOs report observes that although ministers had agreed to national principles and standards to underpin the Australian Recognition Framework, there was no agreement to consistent processes to support its implementation, particularly in relation to monitoring and auditing. The inconsistencies identified in the report include differences in the processes for up-front registration, on-going monitoring including compliance audits, and in auditing the quality of outcomes. The CEOs observe that differences exist in the rigour, approach, and scope of assessment and monitoring at each of these stages and that from the perspective of the end user, this situation can result in a lack of confidence in the system. They further observe that to improve confidence in the quality of VET it would be desirable to have consistent processes of auditing, more detailed national audit standards and consistent auditor criteria.

8.35   There is no doubt in the Committee's mind that a major flaw in the Australian Recognition Framework is its lack of legal enforceability across all state boundaries. Furthermore, its Standards and Evidence requirements are not consistently and diligently enforced by states and territories within their respective jurisdictions and thus currently operate almost as a voluntary code of practice.

8.36   The Committee also considers that some of the implementation problems can be attributed to the transition arrangements for the Framework's introduction in January 1998. Under these arrangements, all existing registered providers were deemed as Registered Training Organisations under the Framework, based on their existing registration scope. This included a deemed capacity to deliver and/or assess

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36   Submission 110, Australian Education Union, vol.6, p.1547,1567

37   Submission 120, National Tertiary Education Industry Union, vol.7, p.1907

38   Submission 129, Government of South Australia, vol.7, p.2095

39   Submission 131, Queensland Department of Employment, Training and Industrial Relations, vol.7, p.2132

40   Submission 63, Construction, Forestry, Mining and Energy Union, vol.3, p.704

41   ANTA CEOs, *Report on National Consistency*, report to ANTA Ministerial Council, June 2000

equivalent qualifications within relevant National Training Packages. Deemed registration was to operate for a period of eighteen months, following which all deemed RTOs had to be able to demonstrate that they were operating in accordance with the requirements of the ARF. All deemed RTOs were to be audited within three years of 1 January 1998.

8.37   These arrangements meant that the states and territories were playing 'catch-up' from the time the ARF was introduced. Their progress in auditing deemed RTOs varies and is subject to the level of resources they have made available for this and other ARF processes, including new RTO registrations.

8.38   The Committee is convinced that the system includes some providers of uncertain quality and that not all state processes for approving providers are entirely satisfactory. Some providers clearly focus on deriving profit from the supply (or non-supply) of VET, rather than providing quality education services.

8.39   There are suggestions in some submissions that the resources the states and territories are applying to provider registration, performance monitoring and auditing are insufficient for the task. The Committee notes that a number of states have moved to redress some of the problems arising from inadequate ARF implementation processes. In three states this action has been prompted by independent reports detailing problems and difficulties consistent with those identified above.

Australian Recognition Framework capacity to achieve national consistency

8.40   The strategy embodied in the Australian Recognition Framework to achieve national consistency is the Mutual Recognition of Registered Training Organisations and qualifications across state and territory borders. The ARF mutual recognition principles and standards were intended to ensure that a provider registered in any state or serritory in accordance with the standards would receive recognition by all other states and territories, and that the qualifications issued by a Registered Training Provider in one jurisdiction would be similarly recognised by RTOs in all other jurisdictions.

8.41   Evidence from the states and territories indicates they have not all embraced mutual recognition fully. South Australia refers to perceptions that administrative arrangements in some states and territories may be preventing mutual recognition operating effectively.[42] The Queensland Department of Employment, Training and Industrial Relations observes that an assumption underlying the ARF mutual recognition principles is that an organisation recognised by one jurisdiction as capable of delivering a product to the required standard is equally capable of doing so across Australia. The Department explained that the Queensland experience has been that a training provider that is delivering competently in one jurisdiction will not necessarily do so in another, and a provider that has a successful fee-for-service business will not necessarily be equally successful in meeting government expectations under User

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42   Submission 129, Government of South Australia, vol.7, p.2095

Choice arrangements. According to the Department, some of the worst examples of abuse of the traineeship system occurred where interstate providers were simply given User Choice contracts without any checking of their capacity to deliver, as occurred with the transitional arrangements discussed earlier in this chapter.[43]

8.42   Based on its experience, Queensland now requires all contract holders to have been audited under the ARF in Queensland, but is concerned that this practice, if applied in all states, does not become a substitute for a separate registration process in each state.[44]

8.43   New South Wales said that it is a strong advocate for mutual recognition of RTOs, but this puts increased pressure on state quality management systems.[45]

8.44   Evidence from other VET stakeholders strongly supports the contention that Mutual Recognition arrangements are not working effectively. Property Services Training, for example, observes that it is possible for almost anyone to set up as a training provider:

> The current process simply requires approval in one state and then mutual recognition rules apply in other states. There needs to be a far more rigorous process put in place at both state and National level to gain approval for RTO status.[46]

8.45   The NSW WRAPS Industry Training Council believes that mutual recognition of RTOs, as currently administered, has facilitated arrangements which undermine the quality of delivery and assessment:

> When rigour varies between various states and territories, certain RTOs will inevitably apply for registration under the less rigorous system. This has obvious consequences for the quality of outcomes and the confidence felt by both individuals and industry in the system.[47]

8.46   Sport and Recreation Training Australia, on the other hand, maintains that enterprises that operate on a national basis are currently frustrated with the lack of consistency in implementation across states and territories of agreed mutual recognition principles and that it is apparent that state and territory systems and processes are out of kilter with the agreed policy positions.[48]

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43   Submission 131, Queensland Department of Employment, Training and Industrial Relations, vol.7, p.2133

44   ibid

45   Submission 139, New South Wales Department of Education and Training, vol.9, p.2425

46   Submission 77, Property Services Training, vol.4, p.976

47   Submission 44, Wholesale, Retail and Personal Services Industry Training Council Inc, vol.2, p.397

48   Submission 115, Sport & Recreation Training Australia, vol.6, p.1847

8.47   Throughout 1998 and 1999 numerous examples of the failure of the VET system to adequately deal with the maintenance of quality assurance were canvassed in Senate Estimates hearings, and were the subject of considerable media debate. The ANTA CEOs presented a paper, prepared by the NSW Department and ANTA itself, to the April 1999 meeting of the Ministerial Council. This followed a discussion at the ANTA CEOs meeting on 2 March 1999 concerning the inadequacies of the National Training Framework's approach to the monitoring of, and quality assurance in, the national training system. As it said:

> For this paper the core question…is the quality of outcomes. How do we know whether the new arrangements are delivering high or higher quality and consistency of training outcomes, which are effectively targeted to meet the training needs and priorities? Put another way, how can states and territories, ANTA, the Commonwealth and industry be assured that resources are being used effectively under these new arrangements to **maximise training quality and the efficacy of training outcomes**? (Original emphasis)[49]

8.48   The paper dealt with the question of accountability for the operations of the National Training Framework. It argued for a clear, nationally agreed approach to quality assurance. The CEOs Committee concluded that there was a need to identify potential risk of fraud and unethical practice with regard to the National Training Framework.

8.49   The ANTA CEOs Committee has continued to present reports to MINCO on the issue of national consistency. The CEOs June 2000 report on national consistency confirms that mutual recognition of providers is a particular problem area in ARF implementation, citing inconsistencies in automatic recognition between states and the requirement by some states for providers to go through additional registration and recognition processes. The report comments that these processes appear not to meet the spirit of the mutual recognition principles.[50]

8.50   In October 1999 ANTA presented a report to the Ministerial Council on the implementation of the National Training Framework and New Apprenticeships. The ANTA CEOs Committee had met on 25 August 1999 to consider key aspects of quality assurance in the VET sector. It met again on 28 September 1999, and considered possible legal issues related to the sharing of financial and other audit information across jurisdictions. The ANTA CEOs agreed to develop appropriate sets of protocols to deal with:

- the application of the Australian Recognition Framework in cases where a Registered Training Organisation litigates with another jurisdiction over contractual or related matters;

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49   *Quality assurance and the national training system*, ANTA CEOs Committee paper, 30 April 1999, p.6

50   ANTA CEOs, *Report on National Consistency*, report to ANTA Ministerial Council, June 2000, pp.1-2

- assuring that jurisdictions exchange promptly information concerning cancellations (or suspensions) or registrations;

- the feasibility of mutual recognition applying in reverse; and

- the possibility that deregistration in one jurisdiction might affect registration in another.

8.51   It further resolved that these matters should be further investigated by a specialist national law firm, to obtain advice on the relationship between these protocols and the legislative arrangements currently in place across Australia.

8.52   ANTA's submission to the Senate Inquiry claimed that the policy settings for the current national frameworks were satisfactory. It stated:

> The regulatory arrangements for New Apprenticeships are grounded in three particular quality assurance mechanisms: the registration of the training provider (under the ARF arrangements), the registration of the training agreement (a state/territory responsibility) and the endorsement of the Training Packages (under the endorsement processes of the NTFC).[51]

8.53   Further, the submission claimed that this was a comprehensive approach.

8.54   The ANTA and DETYA submissions to the Committee's inquiry were received on 10 December 1999 and 26 November 1999 respectively. However, neither submission drew attention to the serious legal problems that had already been identified by the ANTA CEOs, and in subsequent evidence to the Senate Committee, on 5 July 2000, it was revealed that an ANTA working group had been operating since May 1999, considering the legal problems identified with the implementation of the Australian Recognition Framework.[52]

8.55   Notwithstanding the work of the ANTA CEOs group, ANTA's submission to the Senate Inquiry stated that:

> The Australian Recognition Framework is a *comprehensive* approach to national recognition of vocational education and training (Committee's emphasis)[53]

8.56   On 5 July 2000, a former Acting CEO of ANTA, Mr Peter Noonan, appearing before the Committee for the Queensland Department, advised that as early as 1998, and before the Minter Ellison advice had been sought, he had been concerned about the legislative position underpinning the quality assurance framework.[54]

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51   Submission 107 (Australian National Training Authority, vol.5, p.1466

52   Ms Moira Scollay (Australian National Training Authority), *Hansard*, Canberra, 5 July 2000, p.823

53   Submission 107, Australian National Training Authority, vol.5, p.1455

54   Mr P Noonan (Qld Department of Employment, Training and Industrial Relations), *Hansard,* 5 July 2000, p.786

8.57   The DETYA and ANTA were questioned on the implementation of the National Training Framework and New Apprenticeships at the Estimates Committee of February 2000, and attention was drawn by Opposition senators to the existence of the legal advice that had been received by ANTA. The evidence suggests that, from at least 1998, at the most senior levels of the Australian National Training Authority, serious concerns were being expressed about the legal foundations of the Australian National Recognition Framework and the consequent quality assurance measures.

8.58   Ms Scollay, CEO of ANTA, chairs the ANTA CEOs Committee. ANTA's National Training Framework Committee, as described in the ANTA Annual Report, is responsible for 'the implementation of the National Training Framework in all its facets'. The two committees work closely together. Given the amount of time that these committees have spent discussing the issues associated with the legal impediments to the development of national consistency of regulation in the VET sector, it is surprising that neither DETYA's nor ANTA's submission chose to canvas these difficulties.

8.59   There is also evidence of the failure of some states and territories to mutually recognise qualifications. The Shop, Distributive and Allied Employees Association argued:

> ...a person may become a qualified hairdresser in Victoria through successfully completing an AQF Level III course at a registered private provider yet be denied the right to carry on their trade in New South Wales because that state does not recognise the qualification as it rejects recognition of the full time training mode of delivery. … The issue here is not which state government is right or wrong but the breakdown in national consistency between states.[55]

8.60   The Australian Council for Private Education and Training (ACPET), on the other hand, believes the quality of training is diminished when an employer or 'solid' RTO is forced to recognise the inadequate skills base of a trainee trained by a less than competent RTO. ACPET argues that the current system fails to provide reliable equivalence of qualifications, even though to do so is one of its major aims.[56]

8.61   The CEOs report referred to above states that '*enhancing mobility in the labour market* is one of the agreed objectives of the national strategy for vocational education and training yet this cannot be achieved until there is full mutual recognition of qualifications'. Such inconsistencies, according to the CEOs report, impede the business of implementing a national system across state and territory

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55   Submission 50, Shop, Distributive and Allied Employees Association, vol.,. p.516. Similarly Submission 84, Victorian Wholesale, Retails and Personal Services Industry Training Board, vol.4, p.1114

56   Submission 59, Australian Council for Private Education and Training, vol.3, p.623

borders and serve to complicate what ministers intended to be streamlined and flexible recognition arrangements.[57]

8.62   More significant than the CEOs report is the legal advice ANTA received from Minter Ellison in relation to the operation of the ARF Mutual Recognition provisions. The legal advice is that current legislative frameworks do not allow for the full implementation of the national mutual recognition principles (that is those relating to the registration of training organisations, accreditation of courses and issuing of nationally recognised qualifications and Statements of Attainment), or for the recognition of National Training Packages in their own right.

8.63   The specific difficulties identified in the legal advice include:

- Where a training organisation has been registered by a registering authority (the primary recognition authority) in another jurisdiction, registration decisions are recognised automatically outside the primary recognition authority in only two jurisdictions; in the other jurisdictions, the legislative frameworks either empower the registering authorities to replicate a registration without independently reconsidering the RTO's suitability for registration (ie through an administrative process) or in two jurisdictions require an independent examination of an application for registration based on specified statutory criteria.

- All registering authorities have express powers to suspend or cancel the registration of training organisations registered within their jurisdictions, including where this is based on their conduct or operations interstate or overseas, so long as the conduct or operations are relevant to the authority's exercise of its statutory powers and functions; however de-registration in one state or territory would not generally automatically flow to an RTO's registration status in another state or territory (ie mutual de-registration would not generally apply).

- Not all states and territories require training organisations to be registered to deliver an accredited course.

- Only two jurisdictions provide for automatic recognition of courses accredited by another jurisdiction; most other jurisdictions rely on replication of the decision, although these powers are limited in one jurisdiction and apparently not present in another.

- Only one jurisdiction provides for specific recognition of National Training Packages, but in most others, National Training Packages fall within the ambit of 'accredited courses' under their legislative frameworks.

- Training Package qualifications are only formally recognised in two jurisdictions, although there is potential for this in three other jurisdictions; in

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one jurisdiction the recognition of qualifications conferred in other jurisdictions may be replicated; two jurisdictions make no provision for the recognition of qualifications, Statements of Attainment or other competencies.

8.64   Minter Ellison further advises ANTA that it is unlikely that any jurisdiction currently has the power under legislation to share 'confidential' information about an RTO's business and operations with other jurisdictions, excluding information already in the public domain.[58]

8.65   The Committee believes that many of the problems with the ARF arise because it attempts to achieve national consistency through what now emerge as inadequate and unenforceable mutual recognition provisions. states and territories have responsibility for administering the ARF within their own jurisdictions and for any legislation necessary to implement the ARF. The Principles and Standards in the ARF provide broad guidance only, and as discussed above, are deficient in their scope and detail. Each state and territory interprets the requirements of the ARF in its own way, according to the relevant legislation prevailing in its jurisdiction. The legal advice to ANTA is that neither the current legislative framework nor any of its constituent Acts fully implement the national mutual recognition principles of the ARF. Further advice is that the current legislative framework does not in any sense give effect to any of the objectives of 'national consistency', that is, registration, course accreditation and Training Package endorsement are not accorded national effect.

8.66   Evidence before the Committee indicates that there is a general perception, if not agreement, by many stakeholders and clients, and also among some state and territory agencies, that there are serious deficiencies in the Australian Recognition Framework (ARF) in the scope and effectiveness of Standards, the application of Principles and Standards for registration and auditing of RTOs by states and territories, and in the capacity of the ARF to contribute to national consistency and quality in the VET system. There is a very strong case for changing the ARF. The Committee cannot accept the argument that the system is suffering from 'reform fatigue' and that this therefore constitutes a justification for not remedying system deficiencies simply because this would constitute further change.

8.67   The Committee believes it is imperative that the regulatory framework promotes stability and integrity in the VET system. As stated in Chapter 6, the Committee considers that a stronger hand is needed in the management of quality in order to ensure the integrity of the system. The principles and standards of the Australian Recognition Framework are not enforceable in law across state boundaries. state and territory management of quality assurance processes for VET are not consistent and in some states not sufficiently robust, and procedures for registration of new providers under the ARF across the states are not always satisfactory. Neither ANTA nor the Commonwealth has the power to compel VET providers to observe the

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58   Australian National Training Authority, further information 27 July 2000, p.237ff

principles and standards of the ARF, nor states and territories to enforce them. The ultimate sanction provided by the ARF, deregistration, is fraught with legal difficulties and appears little used and thus even less of a deterrent.

8.68   Leaving sole regulatory authority in the hands of the states and territories has not worked. It is no longer a viable option, particularly in the light of identified inconsistencies in legal and administrative processes.

8.69   The Committee strongly believes that a new national quality framework is needed for VET: a framework within which a truly national, truly integrated system can become a reality. Vocational education and training policy and the system that supports it is vital to both Australia's economic prosperity and that of significant numbers of its people. Australia's continued trade and financial integration into the global economy depends on increasing the knowledge, skills, flexibility and adaptability of its labour force.

8.70   In an environment of profound and rapid change, the ability to adapt, to learn and to apply new skills and knowledge becomes crucial for all: individuals, organisations, corporations, nations, including Australia. Central to the adaptive process is education, both learning for life and learning which aims to equip individuals for the world of work. Now, more than ever before, the VET system must be able to provide the world's young people with a foundation of skills, information and concepts that are soundly based, rigorous, practical and capable of application to new and unforeseen circumstances and contexts. Those already in the workforce and those who are not, regardless of age, must also be provided with the capacity to change and to thrive in new environments. Australia cannot be allowed to continue to languish at the lower end of the table of OECD countries in terms of skills acquisition.

8.71   In the twelve months to February 2000, 698,000 workers or 8 per cent of all workers, lost their jobs involuntarily, while another 1.13 million, or 13 per cent quit voluntarily. This increasing trend for Australian workers to seek to change jobs, either voluntarily or involuntarily, emphasises the importance of broad-based, transferable knowledge and skills and the need for nationally consistent VET arrangements, particularly mutual recognition of training and qualifications.

8.72   In this context, in which Australia's economic future is at stake, it is no longer feasible or acceptable for VET policy and the VET system to operate as disparate entities paying lip service to national goals and objectives. At a time when thinking globally has become imperative, arrangements which restrict VET to state borders can no longer be justified.

8.73   More and more of Australia's businesses and industries are becoming national and are demanding the services of an efficient, effective, quality national VET system to increase their competitiveness. The Australian Industry Group points out that Australia currently ranks fourteenth in the World Economic Forum composite competitiveness rankings, and behind the best in terms of adults with at least upper secondary education; and in knowledge-developing activity, including spending on

R&D. The Australian Industry Group stresses that Australia must continue to strive for world best practice. Achieving world's best practice in VET is being seriously hindered by the failure of current arrangements in developing a national system.[59]

8.74   The importance of a robust, quality driven, national vocational education and training system is evidenced in the statements from the Australian Defence Forces representatives:

> The national vocational education and training system is a significant national strategic asset. It contributes significantly to the development of defence capability in peace. It will be a major source of qualified people in times of mobilisation. If the quality of the national vocational education and training system degrades so too does defence capability. This is because the level and sustainability of our defence capability is largely determined by the means we have for growing and developing our people. Vocational education and training is the main means by which our people acquire the skills and knowledge they need.[60]

The Committee recommends that:

(a)   the Commonwealth Parliament and the Government recognise their responsibilities to develop a truly national vocational education system to meet the challenges of achieving high levels of international competitiveness that have emerged from economic restructuring and globalisation; and

(b)   the Government acknowledge that for Australia to be competitive, it must ensure that skills acquisition is given high priority, and that further structural change is accompanied by national skills redevelopment programs for those disadvantaged in employment so that labour mobility and an even spread throughout Australian society of the benefits of economic change can be assured.

National Code for Quality in VET

8.75   The Committee considered several options for recreating the regulatory and quality framework for VET to provide a more effective foundation of quality on which to build the national VET system.

8.76   The Committee is attracted to a number of the arrangements for quality control set out in the Education Services for Overseas Students (ESOS) Bill 2000, particularly the establishment of a national code of practice. The ESOS national code of practice will set out legally enforceable standards and procedures for authorities

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59   The Allen Consulting Group, *Training to Compete - the training needs of industry - report to the Australian Industry Group*, n.d., p.2

60   Submission 87, Australian Defence Headquarters, vol.5, p.1180

registering providers and legally enforceable standards and procedures for providers in delivering education services.

8.77   The Committee believes that national consistency cannot be achieved without agreed, legally enforceable national standards that are consistently applied by all states and territories.

8.78   The Committee considers the Australian Recognition Framework should be replaced by a National Code for Quality in VET based on the ESOS model, and that, as foreshadowed in Chapter 6, the National Code should be made legally enforceable through Commonwealth legislation.

8.79   The National Code for Quality in VET should detail the rights, responsibilities and obligations of all relevant parties, and standards and procedures to regulate and ensure quality in all aspects of VET.

8.80   The National Code should incorporate principles, standards and procedures for the accreditation of courses and the endorsement of National Training Packages (including standards to ensure consistency and parity of qualifications).

8.81   To ensure greater consistency, diligence and integrity on the part of all states and territories in the performance of their quality assurance responsibilities, the National Code should set out requirements with which they would be expected to comply. These requirements should include a statement of mutual recognition obligations and provisions to ensure proper protection of the rights of students and apprentices and trainees. The National Code should also contain legally enforceable national standards, procedures and evidence requirements for registration, performance monitoring and auditing of training providers to be applied by states and territories.

8.82   The Committee considers a significant weakness in the ARF is the lack of explicit and comprehensive standards, procedures and evidence requirements with which registered training providers must comply in the provision of VET services. Therefore the National Code should include standards, procedures and evidence requirements covering teaching and learning, recognition of prior learning, recognition of current competency and assessment of vocational education and training, whether on the job, in the workplace or in an institutional setting. Standards, procedures and evidence requirements should also be included that relate to an RTOs VET dealings with employers, students including apprentices or trainees, and other providers in relation to the provision of VET services by that provider, and standards and procedures required in the preparation, monitoring and implementation of Training Plans for apprentices and trainees.

8.83   The Committee would expect all standards and evidence requirements in the new National Code to be considerably higher than those currently contained in the Australian Recognition Framework and that they would include standards and evidence that relates to both the *capacity* of a provider to provide quality VET

services, and to a provider's *actual performance* against the standard. Much more emphasis needs to be placed on the quality of outcomes.

8.84   The Committee also considers that nationally agreed sanctions must be applied in all cases where there is a breach of the registration standards in order to safeguard quality and restore public confidence in the VET system. Accordingly the National Code should clearly set out sanctions, including fines and suspension or cancellation of registration, to be applied to RTOs failing to comply with the Code.

The Committee recommends that:

(a)   the Australian Recognition Framework be replaced with a National Code for Quality in VET. The National Code should be made legally enforceable through Commonwealth legislation. The National Code should contain a statement of the rights, responsibilities and obligations of all relevant parties, and standards, procedures and evidence requirements to regulate and ensure quality in all aspects of VET, including consistency of implementation. Specifically, the National Code should incorporate:

- **principles, standards and procedures for the endorsement of National Training Packages and, where these do not exist, for the accreditation of courses, and for the consistent national implementation of Training Packages and courses (including standards to ensure consistency and parity of qualifications, and requirements relating to the inclusion of the Mayer Key Competencies);**

- **requirements with which all states and territories would be expected to comply in the performance of their quality assurance responsibilities. These requirements should include a statement of mutual recognition obligations and provisions to ensure proper protection of the rights of students and apprentices and trainees;**

- **legally enforceable national standards, procedures and evidence requirements for registration to provide VET services, and for performance monitoring and auditing of training providers to be applied by states and territories;**

- **consistent national standards for the audit process including qualifications and other requirements to be met by auditors;**

- **explicit and comprehensive standards, procedures and evidence requirements with which registered training providers must comply in the provision of VET services. These should cover teaching and learning, recognition of prior learning, recognition of current competency and assessment of vocational education and training, whether on the job, in the workplace or in an institutional setting and the preparation, monitoring and implementation of Training Plans for apprentices and trainees. The standards and evidence**

should relate to both the capacity of a provider to provide quality VET services, and to a provider's actual performance against the standard;

- sanctions, including fines and suspension or cancellation of registration, to be applied to RTOs failing to comply with the Code;

- arrangements for a national register of VET providers, with providers being entered on the register only where the state or territory authority has certified that the provider has been visited and that compliance with the National Code has been established.

(b)   ANTA commence work on establishing the National Code for Quality in VET pending the establishment of the National Qualifications and Quality Assurance Authority proposed in Recommendation 6.

National Qualifications and Quality Assurance Authority

8.85   The Committee believes primary responsibility for the National Code for Quality in VET should rest with an independent National Qualifications and Quality Assurance Authority (NQQAA). The NQQAA should be established as an independent statutory body by the Commonwealth under new legislation separate from but modelled on the ANTA legislation and the Education Services for Overseas Students (ESOS) Bill 2000 legislation, underpinned by an Agreement similar to the ANTA Agreement.

8.86   The Commonwealth legislation should provide for legal enforceability of the National Code for Quality in VET.

8.87   The NQQAA should subsume ANTA's National Training Quality Council but have a broader, clearer and more independent statutory basis. The NQQAA should have responsibility for the development and endorsement of standards and National Training Packages, and in addition powers to ensure that qualifications are actually implemented in a nationally consistent and quality manner with effective national portability and mutual recognition, and that registered training organisations actually meet standards of consistency, quality and mutual recognition.

8.88   The Commonwealth legislation should also empower the NQQAA to establish the National Code for Quality in VET, to apply and administer the National Code and the standards and other requirements therein, including the registration of VET providers, the exercise of compliance and audit powers, and the application of sanctions. In line with the ESOS model, there should be provision for the NQQAA to delegate its registration, compliance, audit and sanction powers to the states and territories.

8.89   Under these arrangements the states and territories chould continue to have first-line responsibility for quality assurance of VET delivery, including responsibility for registration of providers and for undertaking investigations into providers whose

integrity or quality has been called into question. Where providers are found not to meet the National Code requirements, the states and territories would have delegated powers to apply sanctions that include fines and suspension or cancellation of registration. If a state or territory fails to investigate in a timely or adequate manner, the NQQAA would retain powers to initiate its own investigation and apply sanctions.

8.90   The NQQAA should establish a national register of VET providers, with providers being entered on the register only where the state or territory authority has certified that the provider has been visited and that compliance with the National Code has been established.

8.91   The membership of the NQQAA should provide a balance between national and state and territory governments, employers, unions and VET provider interests. The NQQAA should have deliberative and compliance powers as outlined above as well as a role in advising ANTA MINCO on the operation of the National Code for Quality in VET and all aspects relating to it.

Legislative basis for regulating quality in VET

8.92   The Committee notes that as a result of the June 2000 ANTA CEOs report on national consistency, and a proposal put forward in that report,[61] ANTA MINCO requested the ANTA CEOs to investigate and report to the November 2000 MINCO meeting on the need for nationally consistent legislation to regulate a fully integrated national VET system, the essential elements of nationally consistent legislation and options for implementing nationally consistent legislation, including but not necessarily limited to, model national legislation.[62] The Committee considers this move is long overdue.

8.93   The Committee seriously questions why the CEOs group was not asked to investigate the feasibility of Commonwealth legislation, as well as other legislative models, and, further, why ANTA's legal advisers were instructed that Commonwealth legislation was not to be considered as an option to achieve national consistency in the VET system.

8.94   The Committee strongly believes that Commonwealth legislation is likely to be the only effective legislation in the long run. The Committee is aware of a number of legislative models that could be used to provide the basis for greater national consistency but considers there are significant disadvantages associated with each of them.

8.95   The option of legislation that gives effect to national standards being framed independently by each state and territory approximates the current situation where each state and territory has its own legislative arrangements that govern mutual

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61   ANTA CEOs, *Report on National Consistency*, report to ANTA Ministerial Council, June 2000

62   Described as legislation enacted in full in one jurisdiction and adopted through 'application legislation' in all other jurisdictions, with an agreed process for ongoing modification of the 'model''.

recognition. As indicated above, this model has been found not to be achieving its purpose because of the considerable discrepancies in legislation between jurisdictions and in the administrative processes for implementing that legislation. Consequently there is no national consistency.

8.96   A second model is that described as 'model national legislation' in the ANTA CEOs report. The Committee understands that this legislative model is also known as codified legislation and involves one jurisdiction enacting a codified form of law, with all other states and territories then enacting a law to adopt the codified form of legislation. This model would appear to provide some uniformity in the content of the legislation providing that states and territories can agree on the content and which jurisdiction should be the lead jurisdiction. There is nevertheless considerable potential for inconsistencies in the application of standards and legislation if states and territories retain responsibility for administering them.

8.97   Uniform state and territory legislation that involves states and territories enacting legislation that is identical or substantially similar is another possible option, as is a model whereby states and territories enact legislation consistent with or incorporating model clauses which are developed through a process agreed to by all states and territories. With both these models there is great potential for inconsistent legislation to result, particularly in the content and timing of amendments to the legislation, which would need to be independently effected in each jurisdiction.

8.98   The greatest disadvantage in adopting any of the last three options is the fundamental need for each of them to be underpinned by an intergovernmental agreement which sets out an agreed process for the prescription and on-going modification of the model. There is no legislative compulsion for states and territories to comply with the intergovernmental agreement. The ANTA Agreement, for example, is an intergovernmental agreement underpinning the ANTA Act but there are many disparities between the decisions of ANTA MINCO, which the agreement supports, and the implementation by some states and territories of those decisions.

8.99   Commonwealth legislation would remove the need for provision for mutual recognition of determinations made by Authorities in another state or territory. This would also resolve issues of whether the original registering state or the away state should investigate complaints against RTOs and, as necessary, apply sanctions and remove the need for each state and territory to legislate to mutually recognise deregistration or sanctions imposed.

8.100   The Committee is aware that some concern exists about the Commonwealth's legislative competence under the Australian Constitution to enact relevant legislation to ensure national consistency but does not accept that this argument has validity. The ESOS legislation referred to above would appear to demonstrate that such legislation is feasible. It is also likely that the corporations power in section 51(xx) and the territories power in section 122 of the Constitution are sufficient to regulate the provision of VET services. Furthermore, in view of the considerable amount of funding provided to VET by the Commonwealth, it is not unreasonable to expect the

states and territories to facilitate arrangements that lead to achieving better value and greater quality from the Commonwealth's investment. Similarly, employers and industries that benefit from Commonwealth funding, could be expected to support arrangements that will provide them with a greater assurance of quality in both processes and outcomes.

The Committee recommends that

(a)   a National Qualifications and Quality Assurance Authority (NQQAA) be established as an independent statutory body by the Commonwealth under new legislation separate from but modelled on the ANTA legislation and the Education Services for Overseas Students Bill 2000, underpinned by an Agreement similar to the ANTA Agreement. The Commonwealth legislation should empower the NQQAA to :

    (i)   establish the National Code for Quality in VET;

    (ii)   apply and administer the National Code and the standards and other requirements therein, including those relating to national consistency;

    (iii)   register VET providers in accordance with National Code standards and procedures;

    (iv)   exercise compliance and audit powers, including the application of sanctions;

    (v)   report and make recommendations to ANTA MINCO on the states and territories Annual Quality Assurance Plans (see Recommendation 8)

    (vi)   develop or assume responsibility for further developing and administering the system or arrangements for tracking, recording and reporting on reasons for and circumstances surrounding withdrawals, cancellations, recommencements or other event which involves an apprentice or trainee leaving an employer prior to completion (see also Recommendation 18)

    (vii)   develop or assume responsibility for further developing and administering national implementation plans for National Training Packages, with particular attention paid to achieving national consistency in regard to nominal hours, sample training programs, and identification of current and new resources to deliver training;

    (viii)   develop or assume responsibility for further developing and administering the national register of VET providers recommended in Recommendation 5;

(ix)   take on the role of the national professional teaching standards and registration body recommended in Recommendation 27; and

(x)   report annually to the Commonwealth Parliament on the operation of the National Code for Quality in VET and all aspects relating to it.

(b)   the Commonwealth legislation provide for legal enforceability of the National Code, and provisions for safeguarding the independence of the auditors (including from state training authorities);

(c)   the Commonwealth legislation enable the National Qualifications and Quality Assurance Authority's registration, compliance, audit and sanction powers to be delegated to the states and territories. Under these arrangements the states and territories should continue to have first-line responsibility for quality assurance of VET delivery, including responsibility for provider registration and audit and for undertaking investigations into providers whose integrity or quality has been called into question. Where providers are found not to meet the National Code requirements, the states and territories would have delegated powers to apply sanctions that include fines and suspension or cancellation of registration. If a state or territory fails to investigate in a timely or adequate manner, the NQQAA would retain powers to initiate its own investigation and apply sanctions.

(d)   the membership of the NQQAA provide a balance between national and state and territory governments, employers, unions and VET provider interests. The NQQAA should have deliberative and compliance powers as set out in other parts of this Recommendation, as well as a role in advising ANTA MINCO and, as set out in (a)x. above an obligation to report annually to the Commonwealth Parliament on the operation of the National Code for Quality in VET and all aspects relating to it.

(e)   the NQQAA have all the powers and functions of the present National Training Quality Council.

(f)   the National Qualifications and Quality Assurance Authority be funded by the Commonwealth.

Maintenance of strong role for ANTA

8.101   The Committee reiterates its strong support for ANTA and the Authority's central role in managing key strategic aspects of the VET system and in participating in further reform needed to build a quality national VET system that has the capacity to provide for the diverse needs of individuals, employers, industries and the Australian community. The Committee supports a continuation of ANTA's role in giving effect to arrangements with a strategic focus to develop and recommend on national policies and strategies. Specifically, the Committee supports the continuation

for ANTA of core roles similar to those set out in the current ANTA Agreement. An exception is the role in the development, management, enforcement and promotion of the National Code for Quality in VET which the Committee has recommended replace the current Australian Recognition Framework and for which the National Qualifications and Quality Assurance Authority should have responsibility.

The Committee recommends that:

ANTA continue to have the following core roles:

- **progressive development of the National Strategy for VET as necessary;**

- **provision of advice to MINCO on annual VET Plans;**

- **provision of advice to MINCO, in the context of the National Strategy, of the principles to be applied in the allocation of funding between states and territories and the release of Commonwealth funds;**

- **provision of information and advice to MINCO to assist MINCO to identify and plan for future growth requirements, including social, labour market and demographic growth, and requirements arising from major changes in factors affecting demand;**

- **policy review, evaluation and research on national policies agreed by Ministers from time to time;**

- **advising MINCO on the development of key performance measures and reporting objectives;**

- **ensuring agreed national data are generated;**

- **coordinating major national initiatives agreed by Ministers from time to time;**

- **administration of arrangements for payment of Commonwealth funds to the states and territories; and**

- **annual reports to ANTA MINCO.**

National Training Packages

8.102 National Training Packages are a relatively new but critically important development in vocational education and training. They represent the final stage of the implementation of competency-based training and assessment in Australia. Under current policy arrangements they will become the basis of all nationally recognised vocational education and training provided throughout Australia. Where National Training Packages exist, Registered Training Organisations (RTOs) are required to use them. All previously accredited courses covering the same vocational outcomes

are to be superseded by Training Packages. NCVER statistics show that in 1999 approximately 9.0 per cent of all VET students are enrolled in programs based on National Training Packages.[63]

8.103   National Training Packages require RTOs to formally assess students against competencies, record and report competencies achieved and use the achievement of competencies as the basis for awarding qualifications.

8.104   The Committee supports the concept of National Training Packages. Among the benefits they can provide are greater flexibility, increased learning pathways, increased delivery options and increased facilitation of recognition of prior learning. Evidence before the Committee suggests, however, that their quality, in terms of content and implementation is so variable that their effectiveness overall is at risk.

8.105   Evidence was presented to the Committee that problems or deficiencies exist to some extent in a number of areas. These are discussed below.

Support for National Training Packages

8.106   National Training Packages are both supported and criticised in submissions. Strong support comes from national (and some state) ITABs, as might be expected given their central role in developing National Training Packages, and employers and employer associations, particularly the Australian Chamber of Commerce and Industry, the Victorian Employers Chamber of Commerce and Industry and the Australian Retailers Association.

8.107   Most positive submissions tend to comment on the potential of National Training Packages to deliver quality training rather than on actual experience in using National Training Packages. In many cases this is due to their relatively recent introduction. The Manufacturing Learning Australia ITAB, for example, advises that it is only over the past few weeks or months that the new National Training Packages for their industries have been developed and/or implemented at the state/territory level:

> Therefore, although we recognise that serious questions have been raised regarding the capacity [of the new structure] to deliver quality training, the substance of our submission is that, at least so far as our industries are concerned, it is far too early to say whether or not the new structure is working effectively to deliver quality training and relevant outcomes.[64]

8.108   Several submissions, however, did provide positive comments based on experience in using particular National Training Packages. Several ITABs stresses the positive change in employer and employee attitudes towards training as a result of

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63   National Centre for Vocational Education Research, *Statistics 1999 In Detail: Vocational Education and Training*, NCVER, Adelaide, 2000

64   Submission 26, Manufacturing Learning Australia, vol.1, p.206

greater flexibility, increased learning pathways, increased delivery options and increased facilitation of recognition of prior learning that they see National Training Packages providing. [65]

8.109   The Australian Retailers Association claims:

> Training packages recognize that people learn in a myriad of ways and provide RTOs with the flexibility to tailor learning and assessment arrangements to the particular needs of individuals or enterprises while maintaining a nationally consistent quality framework based on the effective validation of competence.[66]

8.110   The Wholesale, Retail and Personal Services Industry Training Council Ltd similarly maintains that:

> The strength of the system lies in the involvement of industry in developing National Training Packages. This ensures that National Training Packages are representative of the current and future skill needs of industry, and enables both employers and employees to have confidence in the relevant of the qualifications issued under the system.[67]

8.111   State Government submissions also strongly support the concept of National Training Packages. The South Australian Government submission contends that National Training Packages have led to a significant uptake of New Apprenticeships; new industry sectors are now covered by National Training Packages and in most cases all qualifications up to Certificate IV and some to Diploma and Advanced Diploma are provided. Queensland, NSW, Tasmania and Victoria, while generally supporting National Training Packages, raise a range of issues relating to implementation, particularly quality control in the development process.

Training Package Development

<u>Consultative Processes</u>

8.112   The discussion in Chapter 6 on consultative processes for national policy development touched on the issue of the consultative processes followed in the development of National Training Packages, with several submissions expressing dissatisfaction with the extent and genuineness of those processes.

8.113   Typical comments are that the Training Package development process does not allow the time or opportunity for strong functional work analysis, broad consultation and field testing prior to endorsement, and that timeframes driven by

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65   Submission 5, Tasmanian Transport & Distribution Industry Training Board Inc., vol.1, p.36ff; Submission 18, Rural Industries Training Advisory Board, vol.1, p.122ff; Submission 54, Community Services & Health Training Australia, vol.2, p.559ff

66   Submission 124, Australian Retailers Association, vol.7, p.1990

67   Submission 44, Wholesale, Retail and Personal Services Industry Training Council Ltd, vol.2, p.387

ANTA's contracts with developers do not allow for longer or better consultation and adequate analysis.

8.114   It was put to the Committee that the major tool used by developers to describe the range of functions and competencies performed by workers is the holding of a limited range of focus groups and paper-based comment to draft products. Several submissions argued that the quality of the products and ownership by wider sectors of industry would be improved with changes to the development process, and that it is timely to consider the enhancement and refinement of National Training Packages.

8.115   Several submissions also argue that deficiencies in National Training Packages in regard to their broader educational content are the result of the exclusion of teachers/educators from VET policy-making and the development of National Training Packages:

> Educationalists have been excluded from the planning and development of the 'new' VET system, which has led to a narrowly focussed system which will not provide Australia with the skilled workforce that is required for a 'smart', knowledge-rich economy.[68]

> National ITABs have dominated the development of training packages. Educationalists are not involved in the process and when they are consulted it is often too late for change of any significance. Some competencies are written in such a way that a sequential learning program is not possible. The skills required by educators to bridge the gap between a Training Package and delivery are not acknowledged.[69]

8.116   The NSW Government suggests that concerns about the quality of National Training Packages may be a reflection of the lack of expertise and stakeholder involvement in their development and mentions, in particular, the minimal involvement of education and training providers in the past.[70] The Northern Territory Education and Training Authority believes there is a fundamental need for active participation in all aspects of the development of packages by teachers who will deliver and assess the packages.[71]

8.117   ANTA detailed for the Committee the principles and quality requirements for consultation and validation of National Training Packages and the advice, including methodologies and survey tools, also made available to Training Package developers, to make clear ANTA's full expectations for comprehensive and reliable consultation practice. ANTA also provided the Committee with several examples of actual documentation dealing with the consultative processes undertaken for a cross section of National Training Packages. In responding to criticism of consultative processes,

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68   Submission 47, Holmesglen Institute of TAFE, vol.2, p.440

69   Submission 136, TAFE Directors Australia, vol.8, p.2256

70   Submission 139, New South Wales Department of Education and Training, vol.9, p.2454

71   Submission 126, Northern Territory Education and Training Authority, vol.7, p.2036

ANTA observes that all processes can be improved and irrespective of the depth of consultation undertaken, some stakeholders or clients will believe a Package does not reflect their input.[72]

8.118   The Committee notes the concerns expressed about the adequacy of consultation during Training Package development, and considers that in relation to some National Training Packages there is no doubt the consultative processes have been less comprehensive than desirable, and there is room for improvement. The Committee acknowledges that there may be a tendency by some parties to believe that being consulted guarantees that their view will prevail, and if it does not, to then claim some deficiency in the consultative process.

8.119   The Committee considers it is probable that some of the problems that have emerged in regard to National Training Packages may be due to a lack of appropriate educational expertise, particularly in early National Training Package development, but believes this situation has largely been resolved.

8.120   The Committee found the Protocols and Good Practice Advice provided by ANTA could be strengthened by the inclusion of representatives of RTOs and people with teaching or professional educational expertise as groups that need to be consulted.

Inconsistencies in implementation

8.121   Claims made to the Committee about inconsistencies in the implementation of National Training Packages are confirmed by the ANTA CEOs report on national consistency. The CEOs Report comments that jurisdictional differences in the availability and funding of National Training Packages can impede consistent implementation of New Apprenticeships and can make it difficult for organisations to implement national training strategies.[73]

8.122   The CEOs report points to differences in the availability of endorsed National Training Packages in different jurisdictions. In one jurisdiction, for example, Training Package qualifications are made available through the reasonably streamlined process of publication on a state register of qualifications. In others, procedures involve a legislative requirement for the pathways to be approved, involving advice and support from industry and budgetary scrutiny. In jurisdictions where a declaration of calling and/or approval of vocational training orders are still in place, Ministerial approval may be required which can considerably delay the availability of National Training Packages in some states.

8.123   There are also inconsistencies in how nominal hours (and therefore funds) are allocated to qualifications in National Training Packages. Some states such as Victoria, South Australia and Western Australia have developed state based

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72   Australian National Training Authority, further information 9 August 2000, p.284

73   ANTA CEOs, *Report on National Consistency*, report to ANTA Ministerial Council, June 2000, p.8

implementation guides which attribute nominal hours to units of competency and qualifications to be used for funding purposes. In NSW, VETAB has taken a less prescriptive approach and TAFE NSW has undertaken a mapping exercise and continues to utilise a curriculum based model to deliver training package qualifications. In the ACT it is the responsibility of the RTO to develop its own implementation process within a specified timeframe.

8.124   The result is that not all qualifications attract the same nominal hours in every jurisdiction. For example, a Certificate II from a Training Package in one jurisdiction has a ceiling for funding purposes of 400 hours. The same qualification in another jurisdiction has unlimited nominal hours. The CEOs comment that significant variations in nominal hours have the potential to drive different educational outcomes for a given Training Package. This makes it difficult to assume equivalent educational quality between two identical programs, delivered in different jurisdictions.

8.125   Some inconsistencies appear to have arisen because state training authorities (STAs) have adopted individual approaches to the implementation of Training Packages. Some states such as Victoria, South Australia and Western Australia have developed state based implementation guides which attribute nominal hours to units of competency and qualifications to be used for funding purposes. They also refer to the replacement of state accredited courses and other specific arrangements. In NSW, VETAB has taken a less prescriptive approach and TAFE NSW has undertaken a mapping exercise and continues to utilise a curriculum based model to deliver training package qualifications. In the ACT it is the responsibility of the RTO to develop its own implementation process within a specified timeframe.

8.126   Implementation Guides generally are designed to assist Registered Training Organisations (RTOs) to deliver Training Packages. In Victoria, for example, each Guide outlines new arrangements for the delivery of the relevant Training Package. These arrangements include:

- the relationship between the current courses and the new qualifications;

- the relationship between existing modules and the new units;

- advice to RTOs about the qualifications they are authorised to issue (Scope of Registration);

- identification of regulations or required licences;

- nominal duration of units and qualifications;

- sample training programs;

- identification of current and new resources that can be used to deliver the training; and

- identification of Approved Training Schemes for apprenticeships.

8.127   The Committee considers that many of these arrangements could and should be determined on a nationally consistent basis, particularly those relating to nominal hours, sample training programs, and identification of current and new resources to deliver training. The Committee believes that in order to improve consistency between states and territories in the implementation of National Training Packages, national implementation plans should be developed.

The Committee recommends that:

(a)   National implementation plans for National Training Packages be developed, with particular attention paid to achieving national consistency in regard to nominal hours, sample training programs, and identification of current and new resources to deliver training.

(b)   ANTA commence work on establishing the national implementation plans for National Training Packages pending the establishment of the National Qualifications and Quality Assurance Authority proposed in Recommendation 6.

Strengthening Support Materials to provide implementation options

8.128   Prior to the introduction of the National Training Framework, the delivery of VET was subject to two processes - the registration of providers, and the accreditation of courses under the National Framework for the Recognition of Training, the latter process essentially involving the development and accreditation of curriculum. Curriculum consisted of what was to be learnt, how it was to be learnt and how that learning was to be assessed.

8.129   The Agricultural & Horticultural Training Council of South Australia believes that providers' concerns about National Training Packages arise because they are still learning to understand that the competency standards which underpin the National Training Packages are statements of outcome and do not provide guidance on how the outcomes are to be achieved. The Council also contends that some providers mistakenly believe that competency standards focus only on skill and not on knowledge.[74] Manufacturing Learning Australia sees the problem as 'the extent to which TAFE colleges remain wedded to traditional modes of training delivery'.[75]

8.130   The Admin Training Company also contends there is a misunderstanding across the training system that competency standards encompass everything that a worker in a particular business or industry will need to know and do whereas they should be seen as a benchmark to be added to, enriched, and customised.[76]

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74   Submission 46, Agricultural & Horticultural Training Council of South Australia, vol.2, p.429

75   Submission 26, Manufacturing Learning Australia, vol.1, p.207

76   Submission 123, Admin Training Company, vol.7, p.1963

8.131   The Committee notes that National Training Packages are designed as a 'framework' which guides teachers/trainers in the delivery and assessment of training and that considerable further input is required from teachers/trainers to turn them into effective VET programs. Training Package implementation requires teachers/trainers to identify and document which qualifications they intend to offer, what learning strategies, teaching programs and assessment approaches they will use, what resources will be needed for delivery and assessment and how/where these will be obtained. To do this effectively, the teacher/trainer needs skills in such things as curriculum design, instructional design, identifying and developing learning strategies, and an understanding of how people learn.

8.132   It was put to the Committee many teachers/trainers without higher level professional teaching qualifications may need more assistance than is currently provided in National Training Packages in order to carry out these tasks effectively, particularly in relation to identifying and/or developing learning strategies and teaching programs.

8.133   The Committee also notes that Training Package Support Materials are meant to include learning strategies and other support materials to provide teachers/trainers with the guidance and materials they need to implement Training Packages. The problem with Training Package Support Materials, according to evidence provided to the Committee, is that they have not yet been developed for all Training Packages, they are variable in quality, many are considered inadequate by teachers/trainers, and they have been developed to be used in an on-the-job training and workplace assessment context and are therefore not necessarily suitable for students who are not in employment related to their training.

8.134   The non-availability of support materials for many National Training Packages is attributed to the haste with which they have been developed and implemented. The Tasmanian Government comments that:

> The pressure for availability of training packages and their subsequent implementation often means that there is a significant time lag between availability of the package and publication of resources such as professional development materials and delivery kits.[77]

8.135   Community Services & Health Training Australia comments that 'the absence of non-endorsed (support) materials to support the implementation of the Community Services Training Package is a major impediment to the uptake of New Apprenticeships.'[78]

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77   Submission 83, Tasmanian Government, vol.4, p.1095

78   Submission 54, Community Services & Health Training Australia, vol.2, p.564

8.136 The South Australian Government sees an ongoing challenge in the implementation of National Training Packages where non-endorsed materials are not yet available.[79]

8.137 Several other submissions including the Queensland Department of Employment, Training and Industrial Relations, TAFE Directors Australia, the New South Wales Government, Torrens Valley Institute of TAFE, the Australian Education Union and Open Learning Australia comment on either the inadequacy of funding for the development of support materials, or the need to ensure that there are adequate funds available for this purpose.[80]

8.138 It is worth noting in this regard that there are no compulsory requirements as to what support materials should include.

8.139 The Committee considers that, in addition to the national implementation plans recommended in the previous section, the support materials for Training Packages should be considerably strengthened so that they provide more specific guidance on implementation, particularly appropriate learning strategies, teaching programs and courses and resource materials. These should be developed with both workbased and institutional delivery in mind. The Committee also considers that further National Training Packages should not be released until the support materials are available.

The Committee recommends that:

(a) ANTA takes steps to strengthen National Training Package Support Materials so that they provide specific guidance on implementation, particularly in regard to appropriate learning strategies, teaching programs and courses and resource materials. These should be developed with both workbased and institutional delivery in mind.

(b) Support Materials be available when National Training Packages are released.

(c) Responsibility for the development of National Training Package Support Materials pass to National Qualifications and Quality Assurance Authority when established.

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79 Submission 129, South Australian Government, vol.7, p.2096

80 Submission 136, TAFE Directors Australia, vol.8, p.2256. Similarly Submission 61, Open Learning Australia, vol. 3, p.676. Submission 90, TAFE NSW Managers Association, vol.5, p.1219. Submission 115, Sport and Recreation Training Australia, vol.6, p.1850

Narrow job-readiness versus underpinning knowledge and skills

8.140   A common criticism of National Training Packages is that they have a narrow, task-based focus and lack provision for underpinning knowledge and skills. It is important for underpinning knowledge in National Training Packages to be clearly and concisely expressed; to be complete and not rely on the underpinning knowledge being specified in national modules, and to be covered in a logically sequenced and non repetitious way.

8.141   The Committee notes that it has been a requirement since 1990 for standards to not be simply task based and to include underpinning knowledge and skills. The basis of some criticism is that in some National Training Packages the specification in Evidence Requirements of underpinning knowledge and skills are not well expressed and lack a appropriate degree of detail. It is claimed that the specification is often so broad or general that a teacher/trainer cannot make a judgement about what is required. This is more likely to be the case with earlier National Training Packages. The lack of specificity can become a greater problem when the teacher/trainer may not have sufficient expertise or experience to unpack the specifications.

8.142   TAFE Directors Australia, for example, commented that TAFE staff who use National Training Packages argue that underpinning knowledge and skills are often poorly stated and the considerable ambiguity in the presentation of the competencies leads to inconsistent interpretations by providers.[81]

8.143   The Laboratory Operations Training Package provides an example of well specified underpinning knowledge while the Asset Security Training Package is an example or less adequate specification. The underpinning knowledge requirements for a unit in each are set out below.

Laboratory Operations Training Package
PML SAMP 301A: *Receive and prepare a range of samples for pathology testing*

Essential Knowledge
Competency includes the ability to apply and explain workplace procedures relating to the:
- importance of maintaining effective customer relations
- potentially infective nature of all biological materials
- nature of unstable solutions such as anticoagulated whole blood
- paramount importance of labelling and the unacceptability of poorly labelled or unlabelled specimens
- non-conformance of clotted samples for procedures such as routine haematologocal tests
- requirement of specified sample types for specific tests
- sample storage and transport requirements

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81   Submission 136, TAFE Directors Australia, vol.8, p.2256

Security and Investigative Services Training Package
PRSAS07A: *Coordinate installation*

Underpinning Knowledge
- Job types
- Standard industry time allocations for installations
- Contingency factors
- Local conditions and travel routes
- Scheduling methods
- Building construction methods and types
- Technical terminology
- Skill requirements for installation, testing and commissioning of security equipment/systems
- Company requirements
- Company and client confidentiality requirements
- Duty of care
- Communications connection
- Requirements
- OHS requirements for installation

8.144   The problem is then further compounded by enrolment practices that are being driven by new reporting requirements. ANTA's Key Performance Measure 1 requires reporting of units of competency achieved. This has led to some RTOs enrolling students into units of competency. As underpinning knowledge is covered within each unit of competency in the Evidence Guide in National Training Packages, this can lead to either superficial treatment or duplication of training, unless the underpinning knowledge is drawn from individual units of competency or groups of competencies within the Training Package and taught as a 'subject' or 'subjects'. For example, in the Beauty Training Package, 'anatomy and physiology of the skin', 'skin analysis and skin disorders' and 'the body system' are specified as underlying knowledge in many units such as 'provide facial treatments', 'advanced facial treatments', 'provide body treatments' and 'assess client's needs'. Similarly, in the Horticultural Training Package, knowledge of soils, weeds, pest and diseases is mentioned in many of the Level III and IV units.[82]

8.145   It has been suggested that the concept of cognitive competency should be considered as a means of overcoming this problem.[83]

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[82]   van Leeuwen, Trixie, *Underpinning knowledge in National Training Packages* (work in progress)

[83]   ibid

The Committee recommends that:

(a)   ANTA's National Training Quality Council raise the standards for the specification of underlying knowledge and skills in National Training Packages and ensure these are applied consistently;

(b)   National Training Packages not receive endorsement until underpinning knowledge and skills are specified in accordance with the strengthened requirements; and

(c)   responsibility for this task and all other powers and functions associated with National Training Packages that currently rest with the National Training Quality Council pass to the National Qualifications and Quality Assurance Authority (Recommendation 6) when established.

Provision for the achievement of the Key Competencies

8.146   Many stakeholders claim the design of National Training Packages has flaws because it does not provide adequately for the achievement of the Key Competencies.

8.147   There seems to be some confusion or different interpretations in submissions about what Key Competencies are. There are a variety of meanings which can be conveyed by the term 'key competencies' and these are explained by Down in her paper, *Key Competencies in Training Packages*:

> … some referred to the set of Key Competencies defined by the Mayer Committee in their 1992 report Putting Education to Work. Others identified another set of generic competencies which is especially valued within an industry/enterprise context. This set may overlap with the set of Key Competencies defined by the Mayer Committee but the language in which they are expressed and their nature are specific to and characteristic of the industry or enterprise context in which they are used. A third group referred to some enterprises and industries having specific technical and generic competencies which they consider to be 'key' to their productivity and efficiency. These competencies might include OH & S, waste minimisation, customer/client relations, housekeeping, quality and workplace communication. [84]

8.148   The Committee, in referring to the Key Competencies, is referring to the broader generic skills known as the Mayer Key Competencies.[85] These are a set of

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84   Down, Catherine M., *Key Competencies in Training Packages*, Paper delivered at the Australian Vocational Education and Training Research Association (AVETRA) Conference, *Future Research, Research Futures*, March 2000, Canberra

85   Also known as the Mayer Key Competencies after Eric Mayer, who chaired the 1992 committee which recommended them. E Mayer, *Putting General Education to Work - The Key Competencies Report*, n.d. [1992]

generic competencies that people need for effective participation in the workforce. They provide the structure for the development of life-long, generic and transferable skills and a foundation for the development of more specific industry and enterprise competencies.

8.149   The Mayer Key Competencies are:

Collecting, analysing and organising information: the capacity to locate information, sift and sort information in order to select what is required and present it in a useful way, and evaluate both the information itself and the sources and methods used to obtain it.

Communicating ideas and information: the capacity to communicate effectively with others using a range of spoken, written, graphic and other non-verbal means of expression.

Planning and organising activities: the capacity to plan and organise one's own work activities, including making good use of time and resources, sorting out priorities and monitoring one's own performance.

Working with others and in teams: the capacity to interact effectively with other people both on a one to one basis and in groups, including understanding and responding to the needs of a client and working effectively as a member of a team to achieve a shared goal.

Using mathematical ideas and techniques: the capacity to use mathematical ideas, such s number and space, and techniques, such as estimation and approximation, for practical purposes.

Solving problems: the capacity to apply problem-solving strategies in purposeful ways, both in situations where the problem and the desired solution are clearly evident and in situations requiring critical thinking and a creative approach to achieve an outcome

Using technology: the capacity to apply technology, combining the physical and sensory skills needed to operate equipment with the understanding of scientific and technological principles needed to explore and adapt systems.[86]

8.150   The importance of underpinning knowledge and skills, and doubts about individual employers' capacity and/or willingness to ensure these are achieved by employees, is argued strongly in many submissions:

> A well developed vocational education and training system is crucial to the broader micro-economic reform agenda.[87]

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86   Mayer, E., *Putting General Education to Work - The Key Competencies Report*, n.d. [1992], p.3

87   Submission 137, Australian Chamber of Commerce and Industry, vol.8, p.2268

> We need more people at work and in society as a whole who can think, analyse, synthesise and create knowledge rather than merely know things.[88]

> Just enough, just in time and just for me' are admirable organisational and motivational objectives for the individual at a given point in time but they are too narrow to define lifetime learning needs and to play too large a role in a national vocational agenda.[89]

> The need to address the longer term development of human resources is generally not considered by industry.[90]

> The House of Representatives Committee noted that while it was in the long-term interests of industry to have well-educated employees who possess appropriate general and interpersonal skills as well as industry specific skills, industry itself has been reluctant to make this longer term investment.[91]

> This skewing of goals is likely to be at the expense of Australia's long-term skills base and its capacity to meet the growing demands of a global economy.[92]

> Short training courses can readily be taken if and when a specific skill-need arises, but there are diminishing opportunities to enter learning environments where educational advancement can occur.[93]

8.151   The study commissioned by the Australian Industry Group, *Training to Compete,* found that the knowledge and skills most valued by employers as a foundation for all others are the generic, core skills needed for work, a mix of specific competencies, personal attributes and interpersonal skills. This is not to downplay the continued importance of technical skills, particularly in light of the substantial influence played by technology on skill requirements. The study confirms that Australian industry expects that in the future, employees at all levels will need to be more highly skilled and qualified.

8.152   The concern that National Training Packages do not provide for the achievement of the Key Competencies, was equally strongly argued:

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88   Submission 17, Securities Institute, vol.1, p.120

89   Submission 61, Open Learning Australia, vol.3, p.677

90   Submission 22, Mr R Seidel, vol.1, p.171

91   Submission 110, Australian Education Union, vol.6, p.1589. House of Representatives Standing Committee on Employment, Education and Training, *Today's Training: Tomorrow's Skills*, July 1998

92   Submission 56, Victoria University of Technology, vol.2, p.580

93   Submission 67, Mr H Joyce, vol.3, p.738. Similarly Submission 18, Rural Industries Training Advisory Board (NT), vol.1, p.129. Submission 88, Torrens Valley Institute Council, vol.5, p.1191,1193

> The main concern with the training package system is the packages identify competencies but appear to give very little consideration to the development of skills within a broader educational context.[94]

> Concerns are being raised that the focus in Training Packages on industry specific skills has distracted attention from generic competencies such as communication and problem solving skills and other like competencies identified by the Mayer report into Key Competencies.[95]

8.153   The Committee strongly agrees that in the rapidly changing, knowledge-based economy in which Australia now operates, an innovative, adaptable and highly skilled labour force is of utmost importance. In this economy the Key Competencies are critical. The Committee notes that there has been a requirement for key competencies to be clearly identified in all training packages at the level of each unit of competency. The evidence before the Committee suggests that this requirement may not always have been met. A further problem appears to be that National Training Packages do not always adequately identify how the Mayer competencies are to be achieved.

8.154   Down's research indicates that there is widespread confusion about the levels used in conjunction with the Key Competencies especially among the end-users of Training Packages. Down concludes that the cause for much of this confusion lies with the way Training Packages are being published and in some undesirable past practices with respect to curriculum documentation which are persisting through the transition to Training Packages. These include: the publication of the explanation about how the Key Competencies have been included within the units of competency in a separate volume from the actual units of competency. This has wider implications on the possible misuse of Training Packages.[96]

8.155   This misuse, according to Down, arises from assumptions made by teachers and trainers who only have access to part of the package; the use of a table showing the Key Competencies and the level at which they are included within a unit of competency with no reference to a key as to what is meant by the table or how it is to be interpreted and used; and the common practice within RTOs to give teachers and assessors only copies of those units of competence for which they have responsibility.

8.156   ANTA acknowledges that there is a view that the Mayer competencies are not being sufficiently emphasised in National Training Packages. ANTA advises that this is being addressed by revisiting the intent and rigour in embedding the Mayer Key

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94   Submission 47, Holmesglen Institute of TAFE, vol.2, p.447

95   Submission 129, Government of South Australia, vol.7, p.2096. Similarly Submission 126, Northern Territory Employment and Training Authority, vol.7, p.2036.

96   Down, Catherine M., *Key Competencies in Training Packages*, Paper delivered at the Australian Vocational Education and Training Research Association (AVETRA) Conference, *Future Research, Research Futures*, March 2000, Canberra

Competencies in Training Package standards and through investigation of the type of industry valued generic competencies that could appropriately be included in future.[97]

The Committee recommends that

(a) ANTA's National Training Quality Council pursue initiatives to clarify and improve the specification of Key Competencies in National Training Packages, including the development of standards to be met in relation to their specification; and

(b) in accordance with Recommendation 15, responsibility for further development and enforcement of standards relating to the specification of Key Competencies in Training Packages pass to the National Qualifications and Quality Assurance Authority when established.

Implementation timetable

8.157   There is a view also that National Training Packages have been developed and put into use in too much haste with consequent problems regarding quality, consistency and availability of support materials. The Tasmanian Government, for example, sees this as a particular problem, commenting that:

> This tight timeline appears to have also resulted in the repetition of mistakes identified early in early packages. There has not been a sufficient process of continuous improvement. By the time the problems with implementation are raised it may be too late to amend a package.[98]

8.158   Open Learning Australia also believes that the introduction of a number of packages has been 'precipitous, without adequate consultation on their structure, content and parameters'.[99]

8.159   The Queensland Department of Employment, Training and Industrial Relations acknowledges that the implementation of National Training Packages has been inadequate at the state level particularly in the transition between existing courses and package qualifications and in areas where entirely new qualifications are available.[100]

8.160   Consultation by national Industry Training Advisory Bodies with industry and providers in relation to some packages is perceived to be seriously inadequate in the

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97   Submission 107, Australian National Training Authority, vol.5, p.1475

98   Submission 83, Tasmanian Government, vol.4, p.1095

99   Submission 61, Open Learning Australia, vol.3, p.676

100   Submission 131, Queensland Department of Employment, Training and Industrial Relations, vol.7, p.2120

initial phase of package development, leading to a lack of ownership and understanding of the package. This issue is raised in several submissions.

Customisation vs labour market mobility

8.161   Fundamental questions about VET, such as the purpose of VET, and whose interests it should be serving, are also central issues inherent in the development and implementation of National Training Packages. Because the needs of the clients do not necessarily coincide, intense debate revolves around the appropriate balance between the competing interests of these clients, and about whether that balance is being achieved.

8.162   An issue raised in relation to National Training Packages is that the choice of competencies and customisation of training enabled by National Training Packages, combined with User Choice, is placing decisions about training almost totally in the hands of individual employers, thus potentially limiting the career aspirations and job mobility of individuals, the strength of Australia's skills base and its relevance to the broader needs of Australian industry for flexible, innovative workers with life long learning skills. This issue was raised most often in relation to apprenticeship and traineeship training, but as National Training Packages are to become the basis for all VET, the issues raised have wider applicability.

8.163   As discussed in Chapter 7, there is a danger that the particular options an employer chooses from a Training Package as best suiting his/her business may be quite narrow and may not take into account the longer term needs of the apprentice or trainee. This can be exacerbated in some instances where there is too much flexibility provided by particular Training Packages in terms of how units can be packaged together to provide a qualification, resulting in qualifications that do not have enough commonality of outcome to be truly portable. The Torrens Valley Institute of TAFE comments:

> This emphasis on choice by the employer (and theoretically the student), risks the student choosing a training program which suits the needs of the employer and enterprise, but locks them into a very specific set of industry skills and competencies.[101]

8.164   On the other hand, some industry submissions describe 'customised' training in a much more positive light, explicitly or implicitly contrasting it with the inflexibility or irrelevance of previous training:

> The old system of Training Providers loading up students with great quantities of theory, because this is a Provider's only chance to equip a person for the future, has been replaced by the opportunity for them to tailor learning to the immediate needs of students...[102]

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101   Submission 88, Torrens Valley Institute Council, vol.5, p.1193

102   Submission 75, Rural Training Council of Australia Inc., vol.4, p.928

8.165   The Victorian Employers Chamber of Commerce and Industry comments that 'the fundamental changes being implemented... will also place competitive pressures on training providers to deliver the quality customised training required by industry...'[103]

8.166   Similarly, the Admin Training Company stressed the need for 'relevant' skills:

> Employers recognise the value gained from employees/trainees achieving competency in skills that are relevant to the workplace and can be practised there... the learning program can be tailored and relevant to the business or particular industry.[104]

8.167   ANTA has previously acknowledged the potentially conflicting wishes of different stakeholders: '...balances will need to be achieved between individual employers (who may prefer enterprise specific training), individual students (who may prefer more general and transferable skills) and industry bodies (who may prefer national consistency in training).'[105]

8.168   As stated in Chapter 7, the Committee considers that there must be a balance between industry-wide and enterprise-specific training and the portability of skills must be paramount. The Committee considers that Training Packages should not provide so much flexibility in the selection of units for a particular qualification that the qualification has insufficient commonality of outcome to provide the industry and the employee with a truly consistent and portable qualification. While the Committee would not wish to curtail flexibility or reasonable choice, nor the inclusion of enterprise specific elements in training programs, it believes that guidelines on customisation should be strengthened and monitored more closely to ensure greater compliance in order to protect the integrity and portability of the qualification.

The Committee recommends that:

(a)   Training Packages not provide so much flexibility in the selection of units for a particular qualification that the qualification has insufficient commonality of outcome to provide the industry and the employee with a truly consistent and portable qualification. Customisation policies must clearly protect the integrity and portability of the qualification;

(b)   in implementing the recommendations for the National Code for Quality in VET (Recommendation 5 and 6), particular attention be paid to ensuring that Registered Training Organisations actually deliver and assess the broad skills and competencies specified in the training package qualifications; and

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103   Submission 125, Victorian Employers Chamber of Commerce and Industry, vol.7, p.2023

104   Submission 123, Admin Training Company, vol.7, p.1963

105   Australian National Training Authority, *Developing the Training Market of the Future*, 1996

(c)   endorsed Enterprise Training Package qualifications which do not achieve at least 85 per cent commonality with portable industry qualifications not be eligible for User Choice or other public funding.

Assessment Issues

<u>Adequacy of assessment principles and guidelines</u>

8.169   Despite the requirements of the Australian Recognition Framework and the associated National Assessment Principles, concerns have been expressed in submissions and other forums about the consistency and credibility of assessment. The former National Training Framework Committee is known to have raised these concerns in various ANTA forums.

8.170   The NSW Government believes there is some inconsistency in National Training Packages in the adequacy of assessment guidelines and evidence guides to meet the requirements of the agreed national training system, and a threat to consistent outcomes and skill levels through unsatisfactory delivery and assessment practices.[106]

8.171   The CEOs Report refers to a recent national strategic evaluation which found that components of National Training Packages assessment guidelines could be enhanced to ensure greater consistency in assessment of competency. The report also raises the issue of needing to balance current front-end quality assurance measures to achieve consistency with end-on processes such as moderation and verification of assessment decisions.[107]

8.172   The Victorian Government raises concerns, in relation to apprenticeships and traineeships, that qualifications are being issued to trainees who may not have the competencies specified in the training package or course, and inadequate assessment, poor records of assessment and inappropriate assessment instruments.[108]

8.173   Of equal concern are the reports in submissions and other evidence that suggest widespread lack of diligence, unethical or improper practices on the part of RTOs in assessment processes.

8.174   Schofield notes that very poor 'tick and flick' training and assessment practices have arisen in some places. Such practices, she argues, if unchecked, will

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106   Submission 139, NSW Department of Education and Training, vol.9, p.2453

107   ANTA CEOs, *Report on National Consistency*, report to ANTA Ministerial Council, June 2000, pp.8-10. Victorian Education and Training Assessment Services (VETASSESS), *Consistency in competency based assessment*

108   Submission 119, Victorian Government, vol.7, p.1898

inevitably lead to a system where credentials not skills are seen as the required outcome.[109]

8.175   Assessment is a critical aspect of the VET system. If there are questions concerning the reliability and credibility of assessment processes, the value of qualifications and skills attained is undermined and public confidence in the system is diminished. The Committee considers that improvements to assessment standards in the Australian Recognition Framework are needed, as are improvements in the rigour with which states and territories enforce standards for registration, and carry out their obligations in relation to monitoring and auditing RTOs.

8.176   There is a question about whether there is a design fault in National Training Packages that causes attention to be focussed on assessment.

8.177   The Smith report observes a view emerging among trainers that National Training Packages are, in fact, 'Assessment Packages' in that their focus generally is not on how to structure and deliver training but rather on what, how and where to assess. As a result these 'Assessment Packages' are then used by many providers as 'the syllabus' such that they teach nothing more or less than what is needed to meet the assessment requirements. He also comments that there is evidence to suggest that many providers have significantly moved the emphasis ….. away from delivering quality training and onto assessment in the belief that this will somehow improve the quality of the training outcome.[110]

8.178   Queensland's Department of Employment, Training and Industrial Relations comments that:

> Unless providers are able to develop appropriate learning pathways supported by quality resources, infrastructure and staff, there are dangers that undue emphasis will be placed on assessment requirements alone with insufficient attention to the development of underpinning skills and knowledge. This problem has been most evident through the rapid increase in fully on-the-job traineeships.[111]

8.179   Earlier in this Chapter the Committee recommends substantial reform of national VET system regulatory and quality processes, particularly the Australian Recognition Framework. These recommendations address the problems identified above.

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109   Schofield, K, *Delivering Quality, report of the Independent Review of the Quality of Training in Victoria's Apprenticeship and Traineeship System*, Office of Post-compulsory Education, Training and Employment, Melbourne, 2000, p.vi

110   Smith, Larry R., *Issues impacting on the quality of assessment in vocational education and training in Queensland*, Queensland Department of Employment, Training and Industrial Relations, Brisbane, 2000, p.vi-vii

111   Submission 131, Queensland Department of Employment, Training and Industrial Relations, vol.7, p.2120

8.180   Additionally, as most of the assessment issues identified above relate primarily to assessment of on the job training undertaken by apprentices and trainees, they are addressed further in Chapter 9. In that Chapter the Committee discusses the possible use of revitalised and strengthened Training Plans as a mechanism for monitoring and auditing training to be provided to apprentices and trainees and for refocussing the attention of both employers and RTOs on quality training delivery.

New demands on assessors

8.181   A focus group of participants from RTOs was conducted in 1999 as part of the national research project *Maximising confidence in assessment decision making.* The new demands placed on assessors and assessment with the implementation of National Training Packages were identified as a key issue. Concerns focussed on:

- how and what underpinning knowledge is to be assessed;

- interpretation of the standards to ensure benchmarks are achieved;

- determining competence in an off-job environment;

- given the stress on workbased assessment, the role and extent of simulation as a method of assessment;

- accessing relevant workplaces and appropriate work tasks for assessment of learners completing training in off-job environments; and

- provider and industry roles and responsibilities in assessment and verification of assessment decisions.

8.182   Ongoing professional development in relation to National Training Packages, networking with other assessors to gain access to quality assessment tools and good examples of how others are undertaking assessment in partnerships in workplaces were identified by focus group participants as ways of solving some of the issues.

8.183   The Committee believes many of the problems with assessment are due to assessors not being adequately equipped to meet the new demands placed upon them, particularly in regard to workplace assessment. This is in turn due, at least in part, to the haste with which National Training Packages have been introduced, which has not allowed for many of those undertaking workplace assessments to come to grips with the requirements of their new responsibilities.

8.184   Another problem drawn to the Committee's attention is that many assessors, while having appropriate assessment qualifications, do not have relevant industrial experience. The Committee believes that the inclusion of more explicit and comprehensive qualification requirements for assessors in the National Code for Quality in VET recommended earlier in this Chapter will help alleviate this problem.

Consistency and parity of qualifications

8.185   The NSW Government raises the consistency and parity of qualifications across National Training Packages, particularly in terms of the off-the-job training component, as an issue needing attention. Training Package developers determine the qualification level which achievement of particular competencies will provide.[112] While there are guidelines for developers, there is a large element of subjective judgement in setting qualification levels and differences in judgement are exacerbated by National Training Packages being developed separately by different ITABS. In the Arts & Entertainment Training Package, for example, a Certificate III traineeship in Entertainment (Costume) requires a notional 309 hours off-the-job training but a Certificate III apprenticeship in Automotive Engineering (Autobody Repair) requires a notional 864 hours. Moreover the Certificate III in Entertainment (Costume) can be achieved in 12 months (notional time) while the Certificate III in Automotive Engineering (Autobody Repair) requires a notional 3-4 years.

8.186   The Australian Council for Private Education and Training (ACPET) argues that qualifications often provide insufficient information for employers regarding the skills levels of employees because of the 'competent/not-competent' model of assessment.[113]

8.187   As mentioned above, inconsistencies in the way in which nominal hours are apportioned against National Training Packages also results in differences in the educational quality of identical programs and the qualifications awarded, and inconsistencies in assessment produces similar results.

8.188   The Committee considers that ensuring equivalency or parity of qualifications should be a priority for ANTA. Doubt about equivalency or parity of qualifications is one of the most serious outcomes from the changes introduced to the VET system in recent years. Flaws and deficiencies in the Australian Recognition Framework, implementation problems with National Training Packages, the increased emphasis on on the job training, the growth through efficiencies policy and problems associated with User Choice are combining to undermine the integrity and parity of qualifications and skills being attained through the use of National Training Packages. Qualifications are the visible manifestation of VET outcomes, the tangible acknowledgment and evidence of personal achievement, and the 'negotiable currency' on which labour mobility depends. If public confidence in the integrity and parity of qualifications is diminished, so too are the *raison d'etre* and the effectiveness of VET.

8.189   The Committee's recommendations in this report are aimed at addressing each of the points where system weaknesses are impacting on the equivalency or parity of qualifications.

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112   Submission 139, NSW Department of Education and Training, vol 9, p.2455

113   Submission 59, Australian Council for Private Education and Training, vol.3, p.623

Entry to higher education

8.190   A related issue also raised by the NSW Government, is the extent to which qualifications and learning obtained through the use of National Training Packages will be recognised for entry to, or the awarding of credit in higher education. The NSW Government submission refers to the findings of the Preliminary Report of the AVCC-ANTA Articulation and Credit Transfer project (June 1999) which indicates that factors impeding wider university recognition of VET provision derive from weaknesses inherent in the national training package system. These factors include underpinning knowledge, measurement of student effort and achievement, and variation between National Training Packages.[114]

8.191   While the Committee considers that there may be some substance to the claim that weaknesses inherent in National Training Packages are impeding wider university recognition of VET, it also considers that many of the impediments arise from inflexibility on the part of universities. Resolving problems in this area should be elevated in priority.

Licensing and trades recognition

8.192   Considerable inconsistencies in licensing and trades recognition are also identified in the recent ANTA CEOs report on national consistency.[115] In some jurisdictions a Training Package qualification may entitle a person to a licence whereas in another jurisdiction that qualification may not be considered adequate for the granting of a licence. In some cases licensing issues can cause a delay or the withholding of a jurisdiction's recognition of particular Training Package qualifications.

8.193   The CEOs report that jurisdictions also have different methods for the recognition of trade skill developed through alternative pathways, and these differences need to be reviewed.

8.194   The Committee finds it disappointing that inconsistencies in relation to licensing and trades recognition, an area where national consistency has been sought for a considerable number of years, still exist. The Committee considers that to the extent that deficiencies in the ARF and problems with implementation of National Training Packages are contributing to theses inconsistencies, they should be resolved through the implementation of the Committee's recommendations earlier in this Chapter.

Resourcing Implementation

8.195   From an RTO's perspective National Training Packages do not provide a comprehensive package which can be used 'off the shelf' to deliver and assess

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114   Submission 139, NSW Department of Education and Training, vol.9, p.2453

115   ANTA CEOs, *Report on National Consistency*, report to ANTA Ministerial Council, June 2000

training. Training Package implementation requires RTOs to identify and document which qualifications they intend to offer, what learning strategies and assessment approaches they will use, what resources will be needed for delivery and assessment and how/where these will be obtained, whether their staff require professional development to deliver and assess training in accordance with the Training Package and how that professional development will be provided.

8.196   Because National Training Packages are focussed on workplace delivery and assessment, RTOs with students not in employment or in unrelated employment are required to organise work placements or create simulated environments for assessment purposes.

8.197   The transition from the use of accredited curriculum structured around modules to National Training Packages based on assessing students against competencies presents a number of problems. Different approaches to these problems have been adopted by different RTOs.

8.198   As indicated above, RTOs are faced with substantial resource implications involved in implementing National Training Packages. The lack of adequate funding for implementation was of particular concern in many submissions.

8.199   The price lists developed by state training authorities for training delivery through User Choice are raised in several submissions as a point of concern. The Admin Training Company argues that where there has been difficulty implementing qualifications based on standards it is because a state's funding formula supports the minimum units of competency and no more.[116] Pricing issues are discussed in further detail in Chapter 7.

8.200   The Committee notes the substantial funding applied to development and implementation of National Training Packages but also recognises that RTOs are faced with substantial costs between acquiring a Training Package and delivering training and providing assessment. A detailed investigation of prices paid for training was beyond the scope of the Committee's inquiry, but the Committee considers there is some substance to claims, particularly from TAFE providers, that prices paid for training through User Choice are not sufficient to cover the provider-based cost of implementing National Training Packages. It is likely that most providers are cutting corners and that quality is suffering.

Restoring the skills and qualifications of VET teachers/trainers

8.201   An issue which is of concern to all stakeholders is the level of skills and qualifications of VET teachers/trainers. The Committee gained the impression that in recent years there has been a lowering of the standards required by employing authorities.

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116   Submission 123, Admin Training Company, vol.7, p.1963

8.202   The Australian Education Union (AEU) describes the developments in VET teacher/trainer qualifications and employment in some detail. According to the AEU, there may be a wide variety of qualifications and types of experience necessary; however, there are two matters which are common to all:

- the necessity for professional teacher education qualifications which equip teachers with the pedagogical and methodological skills required to develop appropriate learning materials and learning strategies needed to deliver and assess vocational education and training; and

- the necessity for full industry qualifications and experience in the relevant industry area.

8.203   The previous practice with regard to qualifications in TAFE has been that industry personnel were recruited into TAFE teaching and the employer (the system) provided time and resources for those teachers to undertake teacher education training, usually in work time. Some states had registration boards which determined the criteria for levels of qualifications and experience required for registration as a TAFE teacher in that state. Some did not have registration boards, but similar criteria were incorporated into industrial awards and agreements. These criteria were used to determine starting salary, incremental progression and promotion. Most had barriers to incremental progression beyond a certain level for TAFE teachers who did not undertake a teacher education qualification.

8.204   The AEU advises that the criteria are still current in many awards and agreements. However, the rapidly increasing casualisation of teaching staff in TAFE over the past ten years has altered the situation because there may not be requirements for hourly-paid teachers to be qualified in teacher education, though in most cases they hold the relevant industry qualifications and experience.[117]

8.205   The AEU's perspective is shared by others. Ms Erica Smith observes that most state systems no longer require TAFE teachers to have qualifications in education, and that the Certificate IV in Workplace Training and Assessment is rapidly becoming the maximum as well as minimum qualification for VET teachers. Smith argues that the competency standards in the Certificate IV are inadequate to describe either what TAFE teachers do and even what training officers do:

> They describe a very narrow area of practice, ie the delivery of accredited training in enterprises. They badly need major revision. … Teachers who only have a Certificate IV in Workplace Training and Assessment have a naive approach to education and to the use of CBT.

8.206   Smith also argues that the motivation of VET teachers is very low because of the de-skilling of their profession and the lack of attention paid to teaching by

117   Submission 110, Australian Education Union, vol.6, p.1578

ANTA:.for example, the annual training awards provide awards to every category of VET stakeholder except teachers and trainers.[118]

8.207 Wodonga Institute of TAFE is similarly concerned that the increasing casualisation of the TAFE workforce has also led to changes in how organisations operate: corporate knowledge is undermined, and skilled professionals have become increasingly disenchanted as competitive practices have overtaken the main considerations of education development and delivery.[119]

8.208 The depth of concern about the status of teacher/trainer qualifications and the increasing casualisation of TAFE teachers/trainers is graphically described by the Victorian TAFE Students & Apprentices Network:

> At its limits, the structural tendency of the funding regime "to allow any person or organisation with three or four days of training to take industry competency standards and assess a person against them (the minimum compulsory in the training packages) is not merely intellectually bankrupt but has the potential to destroy the VET system completely." (Gonczi 1998, p. 142) This is on top of the fact that the level of funding in the system is designed to encourage this sort of destructive "just-in-time" arrangement to the employment, commitment, morale and development of staff. It is a fundamental point of grievance for students and for student organizations in the sector that this critical state of staffing has such a detrimental impact on the pedagogical relationship.[120]

8.209 The Committee is aware of ANTA's national professional development initiatives such as *Framing the Future* and *Learnscope*, which are designed to promote the quality of teaching and develop awareness of the national training framework. In this context the Committee notes the NSW Government's comments:

> *Framing the Future* and *Learnscope* …have been helpful and contributed significantly to culture change … Yet they do not provide the resources needed for system change nor do they adequately support the ongoing sharing of innovation, good practice and learning within organisations and systems that are required if teacher quality is to be assured.[121]

8.210 The issues surrounding VET teacher/trainer qualifications are not new to the Committee, having been canvassed in some detail during its inquiry into the status of the teaching profession in 1997-98, which resulted in the report, *A Class Act, Inquiry into the Status of the Teaching Profession*.[122] The Committee made a number of

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118   Submission 23, Ms E Smith, vol.1, p.181-2

119   Submission 43, Wodonga Institute of TAFE, vol.2, p.375

120   Submission 80, Victorian TAFE Students & Apprentices Network, vol.4, p.1034

121   Submission 139, NSW Department of Education and Training, vol.9, p.2443

122   Senate Employment, Education and Training References Committee, *A Class Act: inquiry into the status of the teaching profession*, Canberra, 1998

recommendations in that report and, in the light of evidence put to it about the status and qualifications of VET teachers and trainers in the current inquiry, believes those recommendations are equally relevant and applicable in the VET context. The Committee considers that it would be appropriate for the National Qualifications and Quality Assurance Authority recommended earlier in this report to take on the role of the national professional teaching standards and registration body.

The Committee recommends that:

(a)   a national professional teaching standards and registration body be established with responsibility, authority and resources to develop and maintain standards of professional practice for VET teachers and trainers. The national body should work closely with state governments, industry and peak teaching organisations. The national body should:

- **establish national standards of professional practice which take into account what teachers should be expected to know and be able to do in order to facilitate student learning;**

- **certify levels of entry into the profession, criteria for re-registration and recognition of advanced standing in the profession for full-time, part-time and casual teachers;**

- **accredit programs of initial teacher training and establish the professional development framework for the maintenance of the professional expertise of all teachers;**

- **make recommendations to ANTA MINCO on priorities for national professional development programs;**

- **assist teachers and trainers to improve their skills; and**

- **manage a register of teachers and trainers who meet and maintain professional standards and are thereby eligible for employment by public and private training providers.**

(b)   the national professional teaching standards and registration body be empowered to delegate aspects of its authority, and such tasks as it sees fit, to appropriate agencies or teacher associations.

(c)   teachers' and trainers' registration fees be levied as an offset to costs.

(d)   the National Qualifications and Quality Assurance Authority recommended in this report (Recommendation 6) take on the role of the national professional teaching standards and registration body.

Investigative studies and research relating to National Training Packages

8.211   The Committee notes the considerable amount of investigative and research activity surrounding National Training Packages that has been initiated during the course of the Committee's inquiry. ANTA has sought tenders or let contracts for:

- a project to examine the extent of variations in the requirements to complete Certificates III and IV across a range of National Training Packages;

- a project examining the concept of consistency in competency based assessments leading to nationally recognised qualifications under the National Training Framework;

- a project to examine the adequacy of incorporation of underpinning knowledge in competencies in National Training Packages;

- a project to examine the impact of National Training Packages on overseas training markets;

- a project to examine the impact of the National Training Framework on private providers;

- a scoping study for the national Assessment Initiative designed to identify and develop products to support assessment; and

- a project to examine the resourcing implications of National Training Packages.

8.212   The Committee welcomes these studies and is pleased that ANTA has recognised that there are aspects of National Training Packages that need to be improved.