Training Provider Briefing Sessions 2017

Event program

- Welcome from ASQA’s Chief Commissioner, Mark Paterson AO
- Regulatory update
- ASQA’s student-centred audit approach, and what it will mean for your RTO

Break

- Assessment practices
- Validation of assessment practices
- Amount of training
- Update from the VET Student Loans Ombudsman
- Update from the USI Office—Data submission & unique student identifier data
An important reminder

• These sessions provide general guidance applicable to a wide audience of providers

• Presenters cannot respond to questions regarding individual applications, audits, complaints or other matters which relate to the particular circumstances of an RTO
Regulatory update
## ASQA’s regulatory activity

**Application trends for 2015-16 financial year**

<table>
<thead>
<tr>
<th>Registration applications</th>
<th>Course accreditation applications</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Initial</strong> 529</td>
<td><strong>Initial</strong> 46</td>
</tr>
<tr>
<td>47%</td>
<td>12%</td>
</tr>
<tr>
<td><strong>Renewal</strong> 538</td>
<td><strong>Renewal</strong> 76</td>
</tr>
<tr>
<td>24%</td>
<td>19%</td>
</tr>
<tr>
<td><strong>Change</strong> 5453</td>
<td><strong>Change</strong> 14</td>
</tr>
<tr>
<td>13%</td>
<td>92%</td>
</tr>
<tr>
<td><strong>Withdrawal</strong> 168</td>
<td><strong>Extend</strong> 22</td>
</tr>
<tr>
<td>9%</td>
<td>23%</td>
</tr>
<tr>
<td><strong>Total</strong> 6688</td>
<td><strong>Withdrawal</strong> 2</td>
</tr>
<tr>
<td>10%</td>
<td>98%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 110</strong></td>
</tr>
<tr>
<td></td>
<td>61%</td>
</tr>
</tbody>
</table>
ASQA’s regulatory decisions
1 July 2016 to 31 March 2017

- 4.3% of renewal applications refused
- 18.8% of initial registrations refused
- 196 RTOs issued notice of intention to cancel or suspend
- 378 decisions: 247 RTOs
- 123 RTOs cancelled or suspended
Compliance with the Standards

1 July 2016 to 31 March 2017

- Percentage of providers compliant when audited
- Percentage of providers compliant following rectification

<table>
<thead>
<tr>
<th>Standard</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>25%</td>
<td>26%</td>
<td>64%</td>
<td>58%</td>
<td>59%</td>
<td>66%</td>
<td>72%</td>
<td>72%</td>
</tr>
<tr>
<td>2</td>
<td>77%</td>
<td>77%</td>
<td>93%</td>
<td>90%</td>
<td>91%</td>
<td>94%</td>
<td>89%</td>
<td>99%</td>
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<td>3</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>4</td>
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<td>5</td>
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<td>8</td>
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</tbody>
</table>
ASQA’s 2016-17 Regulatory Strategy

• Learner protection
  • Some poor recruitment and enrolment practices are evident
  • Learners may not be placed in suitable courses
  • Brokers are often a problem

• Amount of training
  • Unduly short course durations are a threat to quality

• Capability of trainers and assessors
  • Many RTOs struggle with assessment
Trends in regulatory activity

Complaints

• ASQA received 2350 complaints about training providers during 2015-16
• There has been a trend of increases in complaints to ASQA about training providers over recent years
• Not all complaints are within ASQA’s legislative remit
• The risk and seriousness of each complaint is assessed to determine the appropriate response
• Complaints and reports about providers are used by ASQA as intelligence to target its regulatory responses
Trends in regulatory activity

Complaints—most common categories

1. Training
2. Dishonest conduct or behaviour
3. Assessment
4. Fees and refunds
5. Student information and enrolment
6. Provider administration and management
7. Trainers and assessors
8. Certification
9. Marketing
10. Care and support for students
ASQA’s student-centred audit approach

What does it mean for your RTO?
About today’s presentation

Part 1: Why was the student-centred audit approach developed?

Part 2: What student-centred audits will mean for your RTO:

- Before the site visit
- At the site visit
- After the site visit (including the new audit report and dealing with non-compliance)

• How you can prepare for a student-centred audit
Part 1

Development of the student centred-audit approach
Development of the student-centred approach

Why is ASQA changing its approach?

This is one of a series of changes in the approach to VET regulation, driven by:

• a rapidly changing environment—increased complexity, new risks
• changing profile and behaviour of providers in some areas
• risks to public confidence in the VET sector
• the need to focus regulation on student outcomes rather than inputs, outputs and processes
• bringing the audit process into line with ASQA’s larger risk-based approach
Development of the student-centred approach

Key changes

<table>
<thead>
<tr>
<th>CURRENT APPROACH</th>
<th>NEW AUDIT APPROACH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reactive—application driven</td>
<td>Proactive—risk based</td>
</tr>
<tr>
<td>Compliance focus</td>
<td>Practice focus</td>
</tr>
<tr>
<td>Standardised</td>
<td>Customised</td>
</tr>
<tr>
<td>Information limited</td>
<td>Draws on rich sources of intelligence</td>
</tr>
<tr>
<td>Limited student input</td>
<td>Extensive student input</td>
</tr>
<tr>
<td>Lengthy process to conclude audit</td>
<td>More timely regulatory decisions</td>
</tr>
<tr>
<td>Scope and report against Standards for RTOs 2015</td>
<td>Outcomes reported against ‘student learning experience’</td>
</tr>
</tbody>
</table>
Development of the student-centred audit approach

- Research and Development
  - Phase 1
- Initial implementation and evaluation
  - Phase 2
- Roll out and full implementation
  - Phase 3
Development of the student-centred audit approach

Phase 3—Roll-out and implementation

• Phase 3 is now in progress:
  o Currently progressing to full implementation of new model
  o The student-centred approach will apply to all audit types during 2017
  o Previous audit approach phased out by the end of 2017
  o ASQA auditors have now been trained in the new approach
  o New audit tools and templates being implemented
Part 2

What student-centred audits mean for your RTO
Before the audit

What triggers an ASQA audit under the student-centred model?

- Audits increasingly triggered by information from ASQA’s risk intelligence
- More likely to be triggered by ‘holistic’ concerns about provider based on profile and wide range of inputs
- Focus on evidence of practice in considering applications
- An application may not trigger a site audit
Before your site visit
How ASQA plans your audit

Data/intelligence from a range of sources

Pre-audit research

- Analyse provider profile, inc. compliance history
- Request information from RTO
- Research other intelligence (websites/social media)

Decision on ‘audit scope’

- Determine student input (surveys/interviews)
- Determine audit notification period
- Determine depth and focus of audit
Before your site visit: student input

ASQA’s new online student survey:
• informs the scope and findings of audit
• follows the student experience
• involves up to 1000 students enrolled or completed in past 12 months
• aims for a 10% response rate
• uses AVETMISS data for students who have enrolled or completed in the previous 12 months

The Fact sheet—student surveys on the ASQA website includes the questions students will be asked
Before your site visit: notification

- Standard notification period one to three months
- Shorter notice may apply
- May include a request for additional information
- Will advise you which phases of the student journey the audit will focus most on*
- Also includes which training products and sites will be reviewed*
- Scope of audit can change depending on the findings at audit

*May be updated at the audit
During your site visit

Your audit will follow the student experience

<table>
<thead>
<tr>
<th>Marketing and recruitment</th>
<th>Enrolment</th>
<th>Support and progression</th>
<th>Training and assessment</th>
<th>Completion</th>
</tr>
</thead>
</table>

Examples of RTO practices/behaviours

1. The RTO’s marketing practices provide accurate and factual information to allow prospective students to make informed decisions.
2. The RTO ensures students have the existing skills, knowledge and experience required to successfully undertake the course.
3. Students’ needs are assessed by the RTO and the RTO provides appropriate support services to enable student progression.
4. Trainers assigned to deliver training are qualified. The amount of training and mode of delivery is consistent with requirements.
5. Only students assessed as meeting course or Training Package requirements are issued with AQF certificates.

Primary Standards for RTOs 2015

- 4.1, 23, 24
- 5.1, 5.2, 5.3, 7.3
- 1.7
- 1.1, 1.2, 1.3, 1.8, 1.13-1.18, 1.20, 8.2
- 3.1, 3.3
During your site visit

Focus on practices and behaviours

• ‘Audit preparation’ is less relevant—focus on long-term good practice
• Practice and behaviour focus is a key feature of revised audit approach
• Auditors will look at correlating evidence provided by RTOs, e.g.
  o actual experience of students (e.g. assessments, student files rather than only ‘assessment master tools’)
  o interviews with students to confirm RTO claims
  o interviews with trainers/assessors
  o contacting relevant third parties
After the site visit

New-look audit report

Your audit report will:

- follow the five-stage student journey, rather than reporting clause by clause
- include all action your provider is required to take at the front of the report, in one section
- use an ‘exceptions’ model (no detail will be recorded where compliance has been demonstrated)
After the site visit

Increased accountability for non-compliance

Where non-compliances have affected students, you may be required to:

• correct practices or systems to ensure compliance in future
• identify impact on students and carry out remedial action

Remedial action will depend on the:

• impact on students
• seriousness of non-compliances
After the site visit

Undertaking remedial action

If non-compliances are identified, ASQA may require a provider to:

• address the non-compliance so that future learners will not be negatively affected, and

• identify the impact the non-compliance has had on past learners and carry out remedial action to address this impact.
Rectifying non-compliances

- Possible remedial action: example from *Fact sheet—addressing non-compliance following audit*

<table>
<thead>
<tr>
<th>Non-compliance</th>
<th>Possible impact</th>
<th>Possible remedial action</th>
</tr>
</thead>
</table>
| **Clause 4.1:** Marketing to prospective learners was inaccurate | Learners may have enrolled in a training product on the basis of the inaccurate information. | • Email learners who received inaccurate marketing to provide correct information.  
• Offer refunds to learners who received inaccurate marketing and would not have otherwise enrolled in the training program. |
After the site visit

Student survey summary

A copy of the summary report will be given to the provider – excluding the free text comments to protect the identity of the students.
Tips for preparing for your audit

• Good practice at all times more important than ‘audit preparation’
• RTOs should undertake self assessment regularly
• Look at whether practices and behaviours across all training products align with documented systems and processes
• New ASQA resources being updated to support full implementation
• Refer to:
  o Fact sheets—Student surveys; new audit model; addressing non compliances
  o New audit approach evaluation report
  o Users’ guide to the ‘Standards for RTOs 2015’ (to be updated)
Assessment practices
Overview of this session

1. Overview of the TAE application process and summary findings

2. Overview of training and assessment practices found in successful TAE applications

3. Common issues consistently identified in the TAE applications, particularly focusing on assessment—both demonstrated and intended.
Assessment

“… the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.”

Standards for Registered Training Organisations (RTOs) 2015
Overview

Levels of compliance with assessment standards (year to June 2016)

- Clause 1.8 Assessment meets requirements inc principles of assessment; rules of evidence
  - Compliant at audit: 26.7%
  - Compliant after rectification: 72.3%

- Clause 1.9 RTO implements a plan for ongoing systematic validation
  - Compliant at audit: 70.0%
  - Compliant after rectification: 92.3%

- Clause 1.10 Training products validated
  - Compliant at audit: 71.4%
  - Compliant after rectification: 94.2%

- Clause 1.11 Independent validation
  - Compliant at audit: 78.4%
  - Compliant after rectification: 94.3%

- Clause 1.12 RTO offers RPL
  - Compliant at audit: 96.1%
  - Compliant after rectification: 99.1%
Training and Education (TAE) Training Package

• TAE Training Package transition period ends 5 October 2017
• Increased evidence requirements
• Increased scrutiny of each application
• Rationale for strengthened application assessment processes:
  o issues with assessment across sector
  o trainer and assessor capability to conduct assessment
Successful TAE applications

Training and Assessment strategies and practices

The RTO:

- has robust strategies for training and assessment
- considers the amount of training for each learner cohort
- allows the learner opportunities to practice tasks in varied contexts
- allows for demonstration of practical skill and embedded knowledge
Most common assessment issues identified

1. Practical application of skills and knowledge
2. Lack of assessment criteria
3. Lack of clear instructions regarding the task to be performed
4. Ineffective mapping
5. Issues with third party reports
6. Inadequate validation
Most common assessment issues identified

1—Practical application of skills and knowledge

What we are seeing in assessment practice:

• Limited assessment of learner skills
• Knowledge not integrated in practical assessment
• Overuse of document-driven assessment

Assessing people using their knowledge and skills in an ‘on the job situation’ is the key to competency assessment
Most common assessment issues identified

1—Practical application of skills and knowledge

EXAMPLE

Assessment of skills:

• Performance Criteria 4.3 – Collect and document feedback from relevant people involved in trialling
• Foundation Skills – Oral communication and Interact with others

Assessment of knowledge:

• Knowledge Evidence requirements:
  • The principles of assessment and how they are applied when developing assessment tools
  • The rules of evidence and how they have been incorporated in the tools developed
Most common assessment issues identified

2—Lack of assessment criteria

What we are seeing in assessment practice:

• ‘Tick and flick’ records in assessment tools
• Direct cut-and-paste from the unit of competency requirements
• Tasks to be undertaken are not defined
• Simulations and role-plays that do not have observation instruments
• Foundation skills are not being assessed
Most common assessment issues identified

3—Lack of clear instructions regarding the task to be performed

What we are seeing in assessment practice:

• The task to be performed is not described
• No context or instructions for the candidate and assessor
• Written questions are a reworded version of the unit of competency criteria
Most common assessment issues identified

4—Ineffective mapping

What we are seeing in assessment practice:

• Mapping elements and performance criteria only
• Ineffective mapping
• Over mapping
Most common assessment issues identified

What we are seeing in assessment practice:

• Third party reports are not clearly defined
• Lack of advice on who can be a third party
• Unqualified third parties are conducting assessment
• Insufficient third party instructions
Most common assessment issues identified

6—Inadequate validation

- Ineffective validation processes
- Insufficient evidence is retained
- Validating large numbers of qualifications in one day
- No evidence the validation outcomes were implemented
Questions?

Reminder: TAE applications

- Transition period ends 5 October 2017
- Evidence guidance on ASQA website
Assessment validation
Validation—*Standards for RTOs 2015*:

• “Validation is the quality review of the assessment process. Validation involves checking that the assessment tool/s produce/s valid, reliable, sufficient, current and authentic evidence to enable reasonable judgements to be made as to whether the requirements of the training package or VET accredited courses are met. It includes reviewing a statistically valid sample of the assessments and making recommendations for future improvements to the assessment tool, process and/or outcomes and acting upon such recommendations.”

• Described in clauses 1.9, 1.10, 1.11
Assessment practices—compliance

Common non-compliances observed

• Sampling is not valid, doesn’t reflect the risk to quality
• Not retaining sufficient assessment evidence to be able to validate assessment judgements
• Lack of rigour and independence in validation
• Not being thorough
• The assessment tools used are not retained
• No evidence the recommended changes were implemented

ASQA is finding many RTOs have not yet commenced implementing their validation plan: all RTOs should have validated at least 50% of products by April 2018
Assessment practices—compliance

What it looks like

Validation involves developing a plan to:

• Check assessment tools produce valid, reliable, sufficient, authentic and current evidence that demonstrate whether training product requirements have been met.
• Review a statistically valid sample of assessments made
• Make recommendations for future improvements to the assessment tool, process or outcomes.
• Act on any recommendations for future improvements
• Document who is leading validation activities, tools used
Unduly short training

Strategic review update
What is ‘unduly short training’

‘Unduly short training’ involves courses being delivered in significantly shorter timeframes than those reasonably required to ensure learners gain the competencies specified in the training.
Impacts of unduly short training

The impact of unduly short training is far reaching, with significant consequences for:

- students
- employers
- RTOs
- many industries and
- governments
Concerns about unduly short training

Background

- ASQA has conducted six strategic reviews (five industry sector and one into Marketing Practices)
- All found evidence of unduly short training being delivered
- As a result, ASQA has conducted a strategic review focusing on unduly short training
- The report is being finalised and will be released this financial year
Avoiding ‘unduly short’ training delivery

Amount of training

Compliance means:

• Providing an amount of training sufficient to allow learners to
  o absorb the knowledge
  o practise the skills in different contexts
  o learn to apply the skills and knowledge in varied environments before being assessed

• Ensuring the amount of training considers the existing skills and knowledge of each learner
Avoiding ‘unduly short’ training delivery

Amount of training

- Taking into account the breadth and complexity of the training product being delivered, including elective units
- Complying with any amount of training requirements in training products or legislative requirements such as licensing arrangements
- Using industry engagement activities to inform training and assessment strategies and practices to inform the amount of training provided
- Where appropriate, developing and implementing multiple strategies to take into account the characteristics of different learners
Data reporting and the USI
The USI Office and ASQA

Data reporting roles and responsibilities

• Responsibility for the USI lies with the USI Office (part of the Australian Government Department of Education and Training).

• On behalf of ASQA, the USI Office completes analysis of RTOs’ AVETMISS data, in order to ascertain each RTO’s compliance with the *Standards for Registered Training Organisations (RTOs) 2015*. 
Unique student identifier

RTO reporting requirements

• Collecting and reporting a students’ unique student identifier (USI) numbers is a requirement under the Student Identifiers Act 2014 and a condition of your registration.

• The USI is a mandatory data field for reporting nationally recognised training.

• Unless exempt, RTOs must collect and verify a student’s USI before issuing them a qualification or statement of attainment for any nationally recognised training.
ASQA registered RTOs

Meeting the *Standards for Registered Training Organisations 2015*

The *Standards for Registered Training Organisations (RTOs) 2015* require each (non-exempt) RTO to meet USI data collection, validation and reporting obligations:

- Standard 3.6—ensuring that AQF certification documentation is not issued without a verified USI
- Standard 7.5—ensuring submission of AVETMISS-compliant training activity data (including learners’ USIs).
### COMMONWEALTH OMBUDSMAN ROLES

<table>
<thead>
<tr>
<th>Defence Force Ombudsman</th>
<th>Immigration Ombudsman</th>
<th>Law Enforcement</th>
<th>Australian Capital Territory</th>
</tr>
</thead>
</table>

**SPECIALIST ROLES**

- Postal Industry Ombudsman
- Private Health Insurance Ombudsman
- Overseas Students Ombudsman
- VET Student Loans Ombudsman

- The Overseas Students Ombudsman sits within the Commonwealth Ombudsman’s office.
- The VET Student Loan Ombudsman (VSLO) will also sit within the Commonwealth Ombudsman’s office.
- The VSLO will commence operations on 1 July 2017 and provide a free, independent and impartial service to students and VET student loan scheme providers.
VET STUDENT LOAN OMBUDSMAN (VSLO)

The VSLO will

- conduct **investigations** and make **recommendations** and **reports** in relation to VET loan assistance.
- give VET student loan scheme providers **advice and training** about best practice complaints handling.
- lead the development of a **code of practice**, in collaboration with industry.
VSLO – an overview

Provider considers complaint

Unresolved complaint becomes a dispute

VSLO seeks provider’s viewpoint

Resolution of dispute

Outcomes
VSLO will operate in a similar way to the Overseas Students Ombudsman

- **investigates complaints** about problems that intending, current or former overseas students have with **PRIVATE** schools, colleges and universities (education providers) in Australia
- provides information about **best practice complaint-handling** to help private education providers manage internal complaints effectively
- **publishes reports** on broader issues in international education that we identify through our investigations.
Complaints to the OSO about VET providers

Complaints investigated and closed by education sector quarter ending 31 March 2017

<table>
<thead>
<tr>
<th>Sector</th>
<th>Number of providers</th>
<th>%</th>
<th>Finalised</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>VET</td>
<td>490</td>
<td>47%</td>
<td>33</td>
<td>42%</td>
</tr>
<tr>
<td>Schools</td>
<td>375</td>
<td>36%</td>
<td>3</td>
<td>4%</td>
</tr>
<tr>
<td>ELICOS</td>
<td>98</td>
<td>9%</td>
<td>16</td>
<td>21%</td>
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<tr>
<td>Higher Education</td>
<td>74</td>
<td>7%</td>
<td>17</td>
<td>22%</td>
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<tr>
<td>Non-Award</td>
<td>11</td>
<td>1%</td>
<td>9</td>
<td>11%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1048</td>
<td></td>
<td>78</td>
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</table>

VET Complaints finalised - Issues Raised quarter ending 31 March 2017

- Standard 7: 21%
- Standard 10: 17%
- Standard 11: 9%
- Standard 4: 7%
- Remainder: 17%

VET Complaints finalised - Issues Raised quarter ending 31 March 2017

VET VOCATIONAL EDUCATION AND TRAINING

COMMOMWEALTH OMBUDSMAN
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