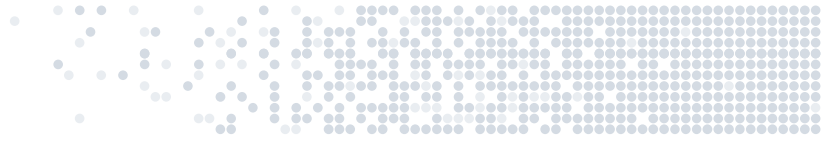


## MINUTES– ASQA Meeting with Adult Learning Australia

10	March	2016	Meeting No	16 - 1
Venue		ASQA Melbourne Office, Level 6, 595 Collins Street, Melbourne		1:00 – 2:30 pm (Melbourne time)

	AGENDA ITEM
1.	<p><b>Welcome and Introductions</b></p> <p><b>Present:</b></p> <p>Mr Chris Robinson, Chief Commissioner, ASQA          Ms Jan Mulcahy, Regulatory Operations Manager, Melbourne          Ms Julie Northridge, Executive Officer</p> <p><b>ALA representatives:</b></p> <p>Mr Stephen Dunn - CEO Adult Learning Australia          Mr Frank Krasovec - Training and Administration Manager, Jesuit Community College, Collingwood Victoria          Ms Michelle Simpson - Executive Officer, Tamworth Community College NSW Via teleconference          Mr Gordon Amann – Coffs Harbour Community College (via teleconference)</p> <p><b>Apology:</b> Ms Ann Leske – LLN In-Sight (NSW)</p>
2.	<p><b>ASQA Update</b></p> <p>Commissioner Robinson provided an update on the following areas:</p> <p><b>a) ASQA regulatory priorities 2016</b></p> <p>Commissioner Robinson provided a short history of ASQA's risk based regulatory approach since it commenced operations on 1 July 2011.</p> <p>ASQA is about to release a document that will outline its regulatory priorities specifically:</p> <ul style="list-style-type: none"> <li>• <u>Learner protection</u> – a systematic approach is being taken to ASQA engaging with state funding authorities to identify issues of concern and to enhance learner protection.</li> <li>• <u>Amount of training</u> – ASQA is advocating that the amount of training should be specified in each training product that being the hours of training that would be required by new learners to achieve the required skills and knowledge.</li> <li>• <u>Capability of trainers and assessors</u> – including concerns with quality of delivery of TAE40110 as well as the lack of assessment content in the TAE qualification.</li> </ul> <p>Other points covered by the Chief Commissioner included the following:</p> <ul style="list-style-type: none"> <li>• Work is in progress on the review of ESOS Act.</li> <li>• ASQA decisions have been taken to de-regulate 10% of RTOs since 2011, but some poor providers continue to operate in the system. ASQA intends to identify poor quality providers more quickly and to strengthen its regulatory 'toolbox' to respond to providers that have a consistently poor compliance posture.</li> <li>• There is not enough consumer understanding about VET products and prices. It is hard for consumers to differentiate what is good and bad, so the cheapest and quickest training product is often selected.</li> </ul>



This creates a market pressure that drives VET quality down.

- ASQA wants the training package developers to specify the hours for each unit/qualification in the training package, the hours to be based on the training hours required for a new learner to achieve the skills and knowledge.

#### **b) Communication with RTOs 2016**

- Thirty six sessions are to be run for training providers between March and June 2016.
- White Card and Early Childhood training webinars are to be provided in response to recommendations from ASQA strategic reviews of these sectors.
- An updated *User's Guide to the Standards for RTOs 2015* is being developed.
- The Provider Reference Group is providing direct feedback on ASQA's communications
- ASQA has received positive feedback from its regular surveys of RTOs that have been audited.

#### **c) Strategic Industry Reviews**

ASQA recently released strategic review reports on the following sectors:

- Training for early childhood education and care
- Training in equine programs
- Training in security programs

The outcomes have policy implications for governments and specific agencies, for training package developers and for state/territory processes that impact on training for the sectors.

Mutual recognition without consistent licensing requirements in the jurisdictions is a problem.

#### **d) Refinement of ASQA delegations criteria**

To date ASQA delegations for changes to scope have been granted to 234 RTOs, on the basis of criteria that include a requirement that no non-compliances have been identified at a renewal audit. ASQA has recently taken a decision to implement a risk based approach to granting delegations, as under the current criteria, large providers are unlikely to achieve non-compliance at audit due to their large scope and large student numbers.

ASQA is aiming to commence the third stage of the delegations policy on 1 May 2016, with more information being released shortly.

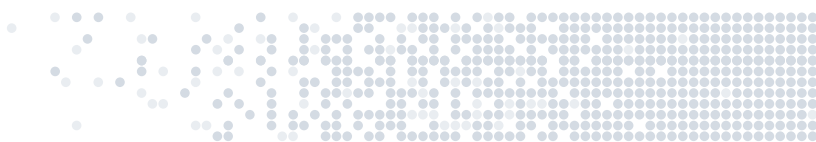
The meeting noted that Tamworth Community College has a delegation.

Mr Gordon Amann, Coffs Harbour Community College, indicated that his RTO is about to be audited for delegation. In response to a question about ASQA audit requirements for learner resources, ASQA confirmed that it does not mandate that RTOs use externally purchased resources.

#### **e) Offshore audit program 2016**

The Chief Commissioner provided a context to ASQA offshore audits, informing the meeting that:

- the NVR Act applies to RTO training and assessment onshore as well as offshore;
- most offshore delivery is conducted by TAFE providers, usually in conjunction with local authorities;
- 70% of offshore delivery is in China;
- there are currently about 20 million VET students in China; and
- the Chinese authorities plan an increasing focus on quality, so Chinese officials attended the 2015 ASQA audits in China as observers.



Ms Jan Mulcahy, Manager Regulatory Operations Melbourne, provided an overview of the offshore audits conducted in China in late 2015 and indicated that:

- four TAFE providers were audited in three locations in China as part of a joint program that also met Chinese objectives;
- the audits are in the process of being finalised;
- areas of identified non-compliance were similar to those found in on-shore audits;
- ASQA is in the early stages of planning for more audits in China and Hong Kong later in 2016, subject to agreement with offshore regulators; and
- ASQA will issue a statement about the first round of China audits once the audit processes have been completed.

**f) Australian Industry Skills Committee (AISC) and the Service Skills Organisations**

Commissioner Robinson referred to the new AISC operating structure comprising 76 Industry Reference Committees that propose training package products to the AISC for endorsement. The Industry Reference Committees are supported by the five Service Skills Organisations (and three 'interim' organisations).

At present a large number of new training packages are being put to the AISC for endorsement. In response, Ministers have agreed to extend the 'teach out' period to 18 months to provide RTOs sufficient time to prepare for the new TP versions.

**3. ALA Items for Discussion**

The following questions had been submitted by ALA prior to the meeting.

**1. What feedback ASQA can provide on key issues associated with 'monitoring quality' following its audit program?**

ASQA Response:

ASQA's regulatory actions following an audit depend on what the outcomes of the audit have been. RTOs continue to be monitored through a range of data analyses aimed at identifying any particular risks that may require a regulatory response.

**2. What is ASQA's position regarding the handing over of the Financial Viability Assessment of RTO's to the NSW Government - now being handled by an externally contracted organisation?**

ASQA Response:

ASQA no longer requires financial viability assessments to be conducted. The decision by the NSW funding agency is specific to NSW funding contracts.

**3. What is ASQA progress auditing RTO's offering short/online TAE course delivery?**

ASQA Response:

This item was covered under Item 2(a) above.

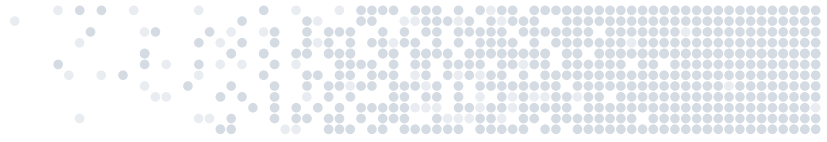
**4. What is ASQA's position (standards 1.7 and 5.1) on the provision of student support (disability/LLN) groups by volunteers and do they require an enterprise skill set if they work unsupervised? This is an issue around financial sustainability for community providers.**

ASQA Response:

An RTO must identify the needs of learners and advise them of the support provided by the RTO and whether there will be any additional charge for this support (refer clauses 1.7, 5.2, 5.3).

There are no qualification requirements for support in the *Standards for RTOs 2015* unless providing training services, in which case the RTO must demonstrate that trainers/assessors hold the vocational and trainer/assessor qualifications specified in Schedule 1 of the Standards. (refer clauses 1.13 – 1.16).

If training services (but not assessment services) are being delivered under the supervision of a suitably qualified trainer, the RTO must ensure that supervision is adequate and monitored and that supervised trainers hold the enterprise skill set as specified in Item 4 Schedule 1. (1.17-1.20)



**5. What is ASQA's involvement and preferred outcome with the review into the quality of assessment TAE?**

ASQA Response:

The new version of TAE40110 has been put to AISC for endorsement. ASQA has advocated for the strengthening of the assessment components of the qualification and the inclusion of assessment units as core. ASQA will implement a more stringent approach to the approval of applications to add the new TAE qualification to RTO scopes and it will remove the TAE qualification from ASQA delegations. An announcement of the AISC decision is due.

**6. Can ASQA provide an update of progress towards a single regulator across Australia (VRQA/TAC)?**

ASQA Response:

Discussions in regard to the referral of powers from Victoria are taking place between the Victorian and Commonwealth departments.

**7. Please provide an update on the regulators progress with VET FEE-HELP abuse and non-compliance leading to suspension and cancellation leading to the cancellation of RTO registrations**

ASQA Response:

ASQA has cancelled the registration of four VFH providers and sanctioned ten other VFH providers. Further work on VFH audits is being planned in collaboration with the Department.

**8. Can ASQA elaborate on student support when an RTO registration is cancelled, fees have been paid by the student and they cannot complete the course?**

ASQA Response:

The Standards require RTOs to be members of an approved TAS scheme or to not charge more than \$1500 in up-front fees. Following the closure of RTOs with TAS membership, the TAS schemes either place the students at other RTOs or refund fees.

In order to ensure that state authorities are ready to respond, ASQA notifies them prior to RTOs being notified of the cancellation of their registration. ASQA also attempts to gain access to the student records from RTOs that close.

ASQA decisions to cancel registrations are not influenced by student numbers.

**4. Other Business**

The Chief Commissioner thanked the participants for their attendance and contribution to the meeting.

**Next meeting:** 7 June 2016, Sydney