



Consultation on unduly short courses ACECQA submission

1. Discussion questions for Recommendation One

1.1. What are the important elements in a definition of amount of training in a competency based training system? What is your suggestion for a definition of 'amount of training'?

Refer to responses at 1.2 and 1.4.

1.2. Where in the regulatory framework would this definition best sit to improve student outcomes?

To be effective and enforceable, duration must be specified in the endorsed components of the training package or in the Standards for RTOs. ACECQA does not support minimum durations being set in guidance materials, as these are not enforceable.

Minimum durations are currently set out as guidelines and are not consistently adhered to. The AQF volume of learning range for both certificate III and diploma qualifications is 1-2 years (1200-2400 hours). ASQA's 2015 review of early childhood education and care training provides evidence that these guidelines are ineffective. This review found that just over 70 per cent of the delivery of the certificate III in child care was occurring in programs of less than one year's duration and 20 per cent in programs of 6 months or less (see ASQA Strategic Review [Training for early childhood education and care in Australia, 2015](#)).

The definition of amount of training must also be clear and easy to interpret. This will improve the effectiveness of ASQA's enforcement powers, as it would be easier for ASQA to gather evidence to demonstrate non-compliance.

1.3. If an amount of training is defined, how can industry ensure that innovation and flexibility in delivery of training is retained? What criteria could be used to ensure the RTO has the scope in which to justify its rationale for shorter course duration?

ACECQA accepts there is an inherent tension between allowing flexibility (which is a tenet of competency based VET training) and ensuring courses are of sufficient duration to guarantee competency is achieved.

Governments have agreed a national system of regulation which requires individuals working in early childhood education and care services to hold particular qualifications. This is because governments and the community are concerned about the significant risks to children if the individuals who educate and care for them are not adequately trained.



Therefore, ACECQA sees it as important to prioritise quality and set mandatory minimum durations, even if flexibility is somewhat impeded.

Requiring minimum course duration would not unfairly penalise high quality RTOs as they tend to already offer courses of longer duration which results in graduates who meet employer expectations, understand regulatory requirements, and further the intended outcomes of governments and the broader community.

Minimum course durations can be linked to the profile of the student. For example, a new learner with no sector experience should not be able to achieve competency in less than a prescribed minimum timeframe. Unlike a student/learner with prior experience, a new learner would not be a candidate for RPL.

1.4. For qualifications that would have a prescribed duration, what are the implications for recognition of prior learning, credit transfer and transition of students when qualifications are updated?

Recognition of prior learning is applied inconsistently across RTOs and is contributing to concerns among employers and regulators about the risk of unduly short courses in the education and care sector.

ACECQA recommends that either the training package or the standards for RTOs should be amended to provide more specification around the appropriateness of RPL, including which type of evidence is suitable to demonstrate competency for RPL. For example, a learner with experience in an overseas work place may be able to attain RPL for some practical elements of a course, however would still need to demonstrate competency in units that require application of Australian laws, regulations and standards.

1.5. What is your suggestion for a definition of 'new learner'? What processes would an RTO need to establish to verify a student's new learner status? What documentation would support audit processes?

It may be reasonable to define a new learner as an individual with less than three months employment experience in an education and care setting.

Under the *Education and Care Services National Regulations*, an early childhood educator can be employed on a probationary basis for not more than three months before commencing an approved qualification (see [Regulation 126](#)).



ACECQA suggests any definition of 'new learner' should be validated by the IRCs as representatives of the sector.

1.6. In establishing a definition of amount of training, what are the implications for current definitions of volume of learning in the AQF? How could the definition of an amount of training (which includes only supervised learning activities) best be aligned in order to inform the review of the AQF and volume of learning (which currently includes supervised and unsupervised learning activities)?

N/A

2. Discussion questions for Recommendation Two

2.1. How well are industry reference committees (IRCs) equipped to provide technical expertise on course delivery arrangements to be able to determine an appropriate amount of training? Who is best placed to provide the technical expertise to IRCs to assist in determining an appropriate amount of training? How do RTOs provide input given they are largely excluded from IRC participation?

The role of the Industry Reference Committee is to drive the direction of the training package development. IRCs are not necessarily vocational education specialists; however, have significant sector experience, skills and knowledge. In consultation with vocational education specialists and drawing on their expertise, IRCs can be well placed to advise on the suitability of requirements specific to their sector.

It is appropriate that input from RTOs generally occurs at arms-length from the IRC process. While it is important that the views of RTOs should be factored into reviews, the inherent conflict of interest must also be carefully managed. For example, some RTOs may seek to influence course delivery arrangements in ways that privilege the interests of the RTO over the interests of students, or employers.

ACECQA supports seeking input from the lead sector regulator, ASQA, at an early stage on issues such as course delivery arrangements and determining an appropriate amount of training. The benefits would include stronger alignment between the training package design, the regulatory framework for RTOs, and the powers of the RTO regulator.



2.2. ASQA has identified a range of factors that increase the risk for unduly short courses. Do you agree with these factors? Are there any other factors that should/could be considered in the context of unduly short courses?

ACECQA notes the ongoing concerns about the quality of training in the early childhood education and care sector. Many of these concerns have been raised as far back as 2011 in Productivity Commission reports into early childhood. More recently these concerns have been raised through the *SkillsIQ* consultation, the ASQA strategic review and through other consultation with employers and jurisdictions.

Individuals working in education and care are responsible for some of the most vulnerable in our society, including very young children. Quality training enables educators to support the health, safety and wellbeing of young children and to improve their educational and developmental outcomes, with the related economic and societal benefits. Poor quality training potentially places children at significant risk of immediate harm or hazard, or longer term disadvantage if vocationally trained educators are ill-equipped to offer high quality educational programs that enhance and support children's learning.

Individuals may work alone in family day care settings (i.e. the educator's own home) where they have responsibility for young children under limited supervision. Where educators are not directly supervised, employers and families rely more heavily on the quality of a qualification ensuring the educator is able to perform their important role.

Education and care qualification holders are employed within a highly regulated sector. Training which fails to equip graduates to meet legislated obligations puts them and their employer at risk of investigation and enforcement action for not meeting these obligations. It also puts children at risk, as the regulatory requirements are primarily in place to ensure their health, safety and wellbeing, and enhance their learning and development.

2.3. What other sectors, other than those identified by ASQA, would benefit from this risk based approach to training package development? How did you identify these sectors (for example, what factors regarding this sector were relevant in making this opinion/decision?)

Qualifications for first aid and emergency asthma and anaphylaxis management training would benefit from a risk based approach to training package development. The discord between industry and regulator expectations and graduate capabilities is particularly concerning with regard to those graduates who hold 'high risk' qualifications. A qualification could be deemed 'high risk' if the public safety risk is high if a student is incorrectly deemed competent in that qualification. For example, the potential failure of graduates to properly administer appropriate first aid to children in their care in times of emergency carries a high risk to children and can have life threatening consequences.



2.4. Do recent and proposed changes and reforms in the VET sector contribute to dealing with these issues, and are there alternative ways to achieve the same goal?

ACECQA considers that more explicit requirements in the training package will assist RTOs to interpret and use the training package appropriately and consistently. Clearer requirements will also improve the effectiveness of ASQA's enforcement powers, further enabling ASQA to gather evidence to demonstrate non-compliance.

ACECQA also supports improvements in RTOs implementation of:

- the structure, timing and supervision of work placements
- assessment to be carried out consistently and by appropriately trained individuals
- RPL to be applied consistently across RTOs
- English language proficiency, including how this is developed throughout the qualification as well as potential entry or exit requirements

3. Discussion questions for Recommendation Three

3.1. What impact and costs would a provider face in implementing ASQA's proposal?

N/A

3.2. What impact would this have on the flexibility of RTOs to deliver training?

N/A

3.3. How could a product disclosure statement (PDS) take into consideration the various flexible and innovative ways in which a single training product may be undertaken?

N/A

3.4. What would trigger an RTO to update each PDS?

N/A



3.5. Are there alternative ways in which training product information could be provided to students to enhance consumer protections, and at which point in their enrolment/training should this be provided?

Training product information should be available to students prior to their enrolment in training to support students to make informed decisions.

Product information must be accurate and consistent to ensure confidence among prospective students and to be fair to RTOs. For example, accuracy and consistency may be achieved by standard templates with information that can be independently checked and verified to allow equitable comparison of courses.

To enhance consumer protections, the audit or compliance activity of RTOs should be publically available to allow prospective and enrolled students to have more complete information about each RTO. For example, a national register of RTOs to allow consumers to view and compare information about RTOs and their courses, similar to ACECQA's [National Registers](#) which publish education and care service ratings. This would also allow for high quality RTOs to promote their organisation and use the register as a marketing tool.

ACECQA notes that the [myskills website](#) continues to be enhanced and provides an established platform upon which to add further training product information to support consumer protection prior to prospective students selecting a course and training provider.