



Review of the National Vocational Education and Training Regulator Act

August 2017

The Dietitians Association of Australia (DAA) is the national association of the dietetic profession with over 6000 members, and branches in each state and territory. DAA is a leader in nutrition and advocates for food and nutrition for healthier people and healthier nations. The DAA appreciates the opportunity to provide feedback on the National Vocational Education and Training Regulator Act for the SkillsIQ submission to Australian Skills Quality Authority (ASQA).

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DAA interest in this consultation

DAA has an interest in fostering food and nutrition knowledge and skills across the community. It is important that workforce training and development in the Vocational Education and Training (VET) sector considers knowledge and skills in nutrition to support good health and wellbeing, and the needs of both healthy and vulnerable groups in the community.

DAA is the peak body for dietetics and nutrition professionals in Australia. Accredited Practising Dietitians (APDs) are the experts in food and nutrition and provide Medical Nutrition Therapy (MNT) to groups and individuals from the general population, and those with special needs. MNT includes a lifestyle examination, a thorough review of current diet and eating habits, development of a personalised nutrition treatment plan and monitoring, review and evaluation.

APDs are essential to the development, review and assessment of nutrition related modules and qualifications available in the VET sector to assist in the assurance of evidence based and safe content relevant to scope of practice.

DAA are interested in providing comment on this review as the overarching governance of VET programs sets the expectation of quality which is then directed back into the development of courses.

DAA understands that SkillsIQ is preparing a response to the review of the National Vocational Education and Training Regulator Act 2011 which is an opportunity for input to the review which will determine the legislative scope and powers of the regulator, the Australian Skills Quality Authority (ASQA).

Response to consultation questions

Question 1: In the interests of quality student outcomes, which aspects of vocational education and training (VET) should be under the closest scrutiny by the regulator, the Australian Skills and Quality Authority?

- Ensuring employers have access to information about the quality of courses/providers to support decision making regarding the potential skills/knowledge obtained through completion of a course/qualification, particularly where this skill/knowledge set is required to deliver safe and effective care/services/products.
- That assessment of competence is planned (including development of Standards for the provision of competency assessment) especially for courses that require demonstration of skills and knowledge to complete the program.
- Assessment of potential programs and assuring appropriate market gap analysis prior to development approval to minimise development of parallel course content leading to risks associated with scope and outcomes.
- Ensuring students have access to information about the quality of courses/providers to support decision making re course enrolment (e.g. employment outcomes).
- Ensure students are provided clear guidance on scope of practice boundaries throughout the course and at the time of graduation.

Question 2: What are the principles that should drive the business plan of a quality VET provider?

Delivery of high-quality education that meets the agreed learning outcomes for the students and produces safe, competent graduates. This should include on-going consultation with employers and other stakeholders (including key industry and sector representatives) to ensure that the education and training provided is appropriate for the workplace and community. Additionally, that scope of practice is clear and that options for post study regulation are outlined.

Question 3: Are regulatory and legislative changes required to support Registered Training Organisations to continuously improve across all areas of their operations and go beyond meeting minimum quality standards?

- The ANAO report on the Administration of the VET FEE-HELP Scheme¹ suggests considerable challenges remain to ensure the regulatory and legislative structure around the VET sector are achieving *current* minimum quality standards for students, employers and the community.
- The National Centre for Vocational Education Research (NCVER)² notes that “opening the market for education and training, including vocational education and training (VET), has increased the importance of regulation and quality assurance mechanisms in ensuring the integrity of qualifications”.
- NCVER² notes that this phenomenon is not limited to Australia, but that there is wider international debate regarding the quality of teaching and the integrity of assessment processes, with external assessment processes being sought in some countries to support provider self-assessment.
- The University of Sydney’s Workplace Research Centre³ identified concerns with some courses being delivered in a fraction of the time of what would be considered industry standard, and concerns with other inputs into quality learning (including the qualifications of trainers, subcontracting to non-registered providers)
- The European Centre for Development of Vocational Training⁴ reported similar challenges with the quality of the VET sector in the EU and note the importance of accreditation as a mechanism to address this and to support providers’ ability to move *beyond* meeting minimum standards.

Question 4: How effective are the enforcement powers of ASQA for ensuring a quality VET sector and how might they be improved?

Whilst some of the short-falls of the VET FEE-HELP Scheme have been addressed by changes to the VET Students Loan Program introduced in January 2017, some pertinent issues remain that need to be addressed to ensure ASQA have the legislative authority to address risks identified by the ANAO report¹ and other authors. These include:

- The authority to set minimum learning hours within particular courses where the evidence suggests that this is required to ensure learning outcomes are met.
- The authority to set particular training modes (e.g. practical or face-to-face) where evidence suggests that this is required to achieve learning outcomes. For example: appropriate frameworks would need to be introduced to support mandatory placements for certain student groups e.g. Allied Health Assistants.

- The authority to request third party audit of assessment processes either as part of routine quality audits which are applied across an industry/sector or as part of additional compliance management where other data sources (e.g. student complaints) indicate further investigation of a particular provider is warranted.
- The authority to move quickly to address concerns regarding the integrity of providers, including suspending or cancelling provider 'registration' where serious breaches are identified.
- The continued authority to set minimum standards for those delivering training courses, and to manage risks associated with the sub-contracting of aspects of training to non-registered providers.
- The continued authority to establish 'entry' requirements for providers seeking to access government funding for VET courses through the new VET Student Loans Program.

Question 5: How could quality be effectively measured and reported as part of an outcomes-based approach to regulation? What is the best way to measure student outcomes?

- A 2010 report from NCVER⁵ has identified the limitations of the Student Outcomes Survey as a measure of training quality. The report lists several recommendations, one of which is to ensure that survey results include:
 - individual provider information;
 - more information on student and labour market outcomes; and
 - all service providers, including fee-for-service private providers.
- Third party audit of assessment processes has also been identified⁵ as a mechanism to ensure the integrity of assessment processes
- Strong, robust accreditation processes for education providers (ideally where registration is linked to accreditation) is a mechanism to ensure quality student outcomes, and to ensure end users of the training (employers or their clients) can trust the skills and knowledge imparted through the VET sector.

Question 6: How could quality be effectively measured and reported as part of an outcomes-based approach to regulation? What is the best way to measure student outcomes?

This needs to be a regular and continuous assessment and quality improvement process, which should be built on clear, consistent learning outcomes and, where relevant, competencies that enable students to graduate with the appropriate knowledge and skills to perform in the workplace. Evaluation of quality should include:

- A mechanism for ensuring appropriately qualified teaching staff are involved in content delivery and assessment of students;
- Mandatory requirement for students to be provided appropriate feedback mechanisms to training providers and, where required, to ASQA;
- Measurement of student confidence and readiness to enter the workforce at the time of course completion;
- Clear processes for employers to provide feedback on graduate performance in meeting their needs and the needs of the community; and
- A process for measuring the effectiveness of assessment processes in ensuring students are equipped with appropriate knowledge and skills to enter the workforce.

Question 7: What measures can be taken to give students, parents and communities a stronger voice in the regulation of VET?

- At a broader level, inclusion of consumer representation on working parties, committees and governance structures within the ASQA regulatory space.
- More locally, ensuring that course evaluation is built into any program allowing opportunity to provide feedback at the time of study.

Question 8: Other comments. Please address any other issues related to the Terms of Reference.

Other important considerations for this review:

- Protecting students from unconscionable conduct from fee-for-service providers as identified in the Australian National Audit Office (ANAO) report on the Administration of the VET FEE-HELP Scheme.
- Preventing market distortion from fee seeking behaviour (e.g. capping popular courses that can be delivered cheaply and completely on-line versus courses that require in-demand practical skill acquisition).

References

1. The Auditor-General, ANAO Report No.31 2016–17 Performance Audit: Administration of the VET FEE-HELP Scheme. Department of Education and Training, Australian Skills Quality Authority, and Australian Competition and Consumer Commission Commonwealth of Australia, 2016.
2. Regulating and quality-assuring VET: international developments Josie Misko National Centre for Vocational Education Research National Centre for Vocational Education Research, 2015.
3. The Capture of Public Wealth by the For-Profit VET Sector: A Report prepared for the Australian Union. University of Sydney Business School. Workplace Research Centre, January 2015.
4. Assuring quality in vocational education and training. The role of accrediting VET providers. European Centre for Development of Vocational Training Luxembourg: Publications Office of the European Union, 2011.
5. Measuring the quality of VET using the Student Outcomes Survey. Melbourne Institute of Applied Economic and Social Research, National Centre for Vocational Education Research (NCVER), 2010.