



AUSTRALIAN COUNCIL OF TESOL ASSOCIATIONS

response to

Draft Request for Tender

for the

Adult Migrant English Program (AMEP) 2017- 2020

30th August 2016

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Executive Summary

ACTA's response to the draft RFT focuses on our main concern, namely, the fragmentation of the AMEP into a **Pre-Employment Stream** and a **Social English Stream**.

This fragmentation is a retrograde step. It:

1. undermines the coherence of the AMEP as an integrated settlement program
2. misconceives the English learning needs of *all* AMEP clients, i.e. new arrivals with less than "functional English" (commonly described as "phrase book" English)
3. introduces expectations that have been consistently documented as unrealistic, including by the latest Government-funded Evaluation of the AMEP
4. imposes top-down constraints on a Program that this Evaluation and many others commend for its ability to cater for diverse learning needs
5. defines clients in both streams in terms of their goals and hence avoids identifying the kinds of vulnerable learners that will inevitably be placed in the Social English stream.

The central features of the Social English Stream are that this group will be taught in larger classes by unqualified teachers. This downgrading of provision for these clients clearly violates the general "Policy Parameters" and "Service Delivery Principles" that the draft RFT describes as governing the tender's specifics, as follows:

Policy Parameter & Principle

The Social English Stream:

"deliver services to a high standard" (AMEP SPI, 1,1)

actively promotes inferior teaching and larger class sizes for learners in this stream

"ensure personnel have the skills and experience to provide high quality and culturally sensitive services to AMEP clients"
(AMEP SPI, 1,1)

permits employment of graduates (with *any* degree) with no teaching qualifications whatsoever, much less in English language teaching and working cross-culturally in classrooms

"provide supportive learning environments for diversity"
(AMEP SPI, 1.1, 6)

entrenches inequality in provision for newly arriving migrants

stigmatizes learners in this stream as unworthy of the level of quality provision accorded to learners in the other stream

will inevitably target women with childcare responsibilities and refugees with minimal/no previous education

takes no account of the very high levels of TESOL expertise needed to successfully teach the vulnerable learners who will be placed in this stream

improve retention rates and "increase client engagement"
(Schedule 1, 1.1.6; 1.1.7; 1.1.8)

will increase dissatisfaction and drop-out rates when students encounter inept, poor quality teaching

“meet all reporting and financial accountability requirements stipulated by the department”
(AMEP SPI, 1.1, 3)

will be assessed by teachers who lack the knowledge and skills that are required to use *any* assessment tool, much less adapt the highly technical ACSF to describe the progress of English language learners

“improve outcomes for clients through demonstrated improvements against the Australian Core Skills Framework (ACSF)”
(Schedule 1, 1.1.7)

will adversely affect KPIs of *Engagement, Attainment* and *Accurate Assessment*

“better target and tailor services to clients to achieve improved outcomes” (Schedule 1, 1.1.9)

requires vulnerable clients to make choices whose implications for quality provision they cannot possibly appreciate

“ensure that all AMEP clients are provided with information (in a form they can understand) on key AMEP issues”
(AMEP SPI, 1,1.5)

contains perverse incentives for interviewers to disguise the facts that choosing this stream entails larger classes taught by unqualified teachers

“develop an Individual Pathway Guide for each AMEP client relevant to their needs, skills, aspirations and personal circumstances”
(AMEP SPI, 1,1.4)

will constrain *the options providers already have* to form classes that respond to particular intakes and to create flexible pathways for clients

“encourage greater flexibility and innovation in where and how services are delivered” (Schedule 1, 1.1.8; 1.2.2 g)

introduces an unnecessary top-down rigid division in provision

“provide pathways to greater social participation, employment, further study and training and improved economic and personal well-being”
(Schedule 1, 1.1.1)

places vulnerable clients on a pathway that increases barriers to “employment, further study and training” and hence “improved economic and personal well-being”

institutes administrative barriers if clients want to move into the pre-employment stream

imposes unnecessary administrative requirements on providers when clients seek to change stream

“promote the importance of the AMEP in facilitating successful settlement” (AMEP SPI, 1.1, 8)

fundamentally disregards what the AMEP has achieved and can achieve as an integrated and coherent English language program focused on settlement

institutes a learning environment that will inevitably produce new arrivals speaking highly stigmatised forms of ‘pidgin’ English

will fundamentally erode the credibility and accountability of the AMEP.

Given that this fragmentation is both unnecessary and undesirable, its most obvious rationale is to permit providers to lower their costs by employing unqualified teachers and increasing class sizes for some AMEP clients.

The *Immigration (Education) Act 1971* gave newly arriving migrants and humanitarian entrants with minimal/no English a legal entitlement to 510 hours English language tuition. The creation of a new “Social English” stream is an administrative manoeuvre to subvert the intentions that created this entitlement.

ACTA’s priority in this submission is to address the draft RFT requirements which are unnecessary and undesirable, and will undermine the fundamental integrity of the AMEP.

ACTA recommends that the final 2017-2020 Request for Tender for the AMEP:

1. supports and encourages providers to maintain a coherent and integrated approach to the AMEP’s primary settlement objective for new arrivals to Australia who have less than functional English
2. ensures that all AMEP clients have equally high quality English language tuition in every respect
3. specifies the class size for all AMEP clients as no more than 20 students
4. specifies that all teachers employed in the AMEP have recognised TESOL qualifications
5. adopts a more cautious, evidence-based approach to assessment by:
 - (a) retaining the option for providers to continue using the ISLPR as a placement tool as they see fit
 - (b) encouraging them to discuss and report their experiences with both the ISLPR and the ACSF
 - (c) instituting research by credible language assessment experts into appropriate assessment tools for the purposes of placement, progress and accountability in assessing English language and literacy the AMEP and SEE program.

DETAILED SUBMISSION

What is ACTA?

ACTA is the peak professional body for TESOL (Teaching English to Speakers of Other Languages) in adult and school settings. It comprises representatives from state and territory TESOL associations, whose members include teachers, researchers, consultants and curriculum developers. Our long-standing commitment to policy development in this field has been demonstrated over many years by our consistent and numerous responses to invitations for submissions on the AMEP and other adult TESOL provision, as well as child TESOL. Examples can be found on our website: <http://www.tesol.org.au/Advocacy/ADULT-ESL-NEWS-AND-ISSUES>

Welcome Features of the Draft RFT

ACTA welcomes the following aspects of the draft RFT:

1. the commitment to providing more flexible business models, encouragement of innovation, and improvements in targeting and tailoring services to clients to achieve improved outcomes (schedule 1, paras. 1.1.8 and 1.1.9)
2. the increased opportunities for AMEP clients to extend their English language learning
3. that a draft has been circulated for feedback which, despite reports from information sessions to the contrary, we hope will permit genuine consultation and improvements to the final RFT.

Main Concern: Streaming Clients

The draft RFT states that the AMEP will now be split into a **Pre-Employment Stream** and a **Social Skills Stream** with differential requirements as follows.

Focus	Pre-Employment Stream	Social Skills Stream
Client profile	“seeking to gain functional English in order to participate in the workforce”	“seeking greater competence in conversational English to help them participate socially and to gain the confidence to live independently within their local community and region” (AMEP SPI, 6.2)
Class size	max. 20	max. 25
Curriculum	accredited	accredited or non-accredited
Expected progress	attain 2 ACSF indicators	attain 1 ACSF indicator
Teachers’ qualifications	3 year degree plus TESOL qualification	3 year degree (should be “on a positive pathway to a TESOL qualification” – meaning unspecified)

Concerning client assessment for the Social English stream, ACTA endorses the potential here for recognising that different expectations apply to clients with different needs and educational backgrounds, most notably those with minimal/no previous literacy or school education. As the ACIL Allen Evaluation pointed out, the research shows that “‘stair-case’ progress in language acquisition should not be expected in pre-literate learners and that progress can be extremely slow” (p. 25).

However, this issue is considerably more complex than recognised in the draft RFT. Fundamentally, research is now beginning to support teachers’ observations that progress made by these learners cannot be accurately charted using any assessment tools currently in general use. The issue of assessment will be addressed later in this submission.

Notwithstanding the above, ACTA contends that **fragmenting the AMEP in this way has no justification or warrant, given the program’s central objectives, current functioning and the stated policy parameters in the draft RFT**. Rather, this top-down division:

1. fundamentally misconceives **the learning needs of AMEP clients** (viz. new arrivals who do not “have functional English”)
2. disregards the **evidence documented in the 2015 Government-funded ACIL Allen Evaluation** of the AMEP (henceforth the Evaluation) and is contrary to its central recommendations, most notably the first and clearly articulated recommendation that **the AMEP retain its long-term, primary focus on initial settlement**
3. contradicts almost all of the **draft RFT’s own stated Policy Parameters and AMEP Service Delivery Principles** and undermines the AMEP’s capacity to operate in accord with them.

ACTA believes that **the only credible rationale for this bifurcation of provision is cost-cutting and that this change constitutes an erosion, by administrative means, of the legislative requirement that new arrivals with less than “functional English” receive 510 hours of English language tuition.**

We elaborate on these concerns below.

1. Misconception of AMEP Clients and their needs

Who are AMEP clients?

The AMEP was established in 1948 and is now subject to legislation through the *Immigration (Education) Act 1971*. In 1992, amendments guaranteed that migrants defined as eligible could receive up to 510 hours tuition in an “approved English course”. Eligibility was restricted (among other things) to **those with less than “functional English”**.

What is “functional English”?

The ACIL-Allen Evaluation provides the currently authorized description of what is meant by “functional English”:

Functional English is defined in the Australian Government legislative instrument ‘Procedures or Standards for Functional English’ (which is associated with the *Act*) as **‘basic social proficiency in English assessed at International Second Language Proficiency Rating (ISLPR) 2 across all four macro skills (reading, writing, listening and speaking)’**. Migrant or humanitarian entrants who do not have an ISLPR score of 2 or more for each skill group are eligible for the AMEP. (p. 7; our emphasis)

What can be achieved in 510 hours?

On the basis of its own and others’ research, the Evaluation states:

The intensity of instruction, as measured by hours, and its contribution to language gains has been subject to investigation and debate. There is some evidence to suggest that **approximately 600 hours is an appropriate *minimum*** to achieve functional levels of language acquisition. However, detailed analysis of learner outcomes and language gains in LINC suggest that between 750-1000 instructional hours is more likely to result in the desired proficiency outcomes. [p. 26; our emphasis]

The Evaluation reported that only some 7 per cent of clients reach close to functional English in 500 hours (p. 65). It continued:

Some stakeholders suggested that the entitlement should be raised; noting that 2,000 hours of tuition may be needed to reach functional English proficiency. These stakeholder views reflect **evidence in the literature that functional language acquisition is more likely to be achieved when tuition is in excess of 750 hours**. (p. 65; our emphasis)

Although the Evaluation recommended extending opportunities for new arrivals to continue English language learning, it did not necessarily envisage this as occurring primarily within the AMEP. ACTA’s position is that coherent pathways are needed in overall English language and literacy provision for adult migrants, as we outline below in our comments on aligning the AMEP and SEE program.

Aim of the AMEP

The Evaluation concluded that, given the English language levels of most clients entering the AMEP, it was unrealistic to expect them to achieve “functional English” or to evaluate the Program in terms of any such expectation. It cites the current AMEP Services Contract (2011-2017), which:

records that ‘there has been an expectation in the past that the programme should be able to equip AMEP clients with ‘functional English’ in 510 hours of tuition.’ It [= the contract] notes that this ‘expectation is unattainable and unrealistic’ considering the low level of English language skills of many AMEP clients.

As a result, a more accurate description of what the programme aims to deliver is: ‘preliminary English skills in a specific settlement context’ through English language tuition ‘while introducing newly arrived clients to Australian social norms and practices, services, and the rule of law’ (AMEP Services Contract, 2011-17).

Client goals

The Evaluation documented how the AMEP's current settlement focus fits within clients' longer-term goals:

Based on focus groups carried out for this evaluation, the primary goals for the majority of clients are employment, transition to further education or training and settlement/integration into the Australia community. Many clients discussed the importance of learning about Australian cultural and social practices, as well as understanding laws, regulations and fair trading.

Being independent and fitting into the community was repeatedly expressed in the focus groups as an important outcome of the AMEP. Specifically, many clients stated that learning pronunciation, word usage, and rate of speech in Australia is essential for increased confidence and integration and settlement ... (p. 18)

Conflating these goals into client starting, middle and end points for learning, the draft RFT divides AMEP clients into two discrete tuition groups:

... while all clients are seeking to learn or improve their English, many clients are seeking sustainable employment and would benefit from a stronger employment focus in their English language training and exposure. Other are seeking greater competence in English to help them better independently participate with their local community and region. (draft RFT, Schedule 1, 1.2.2)

In separating clients into discrete streams with **employment versus 'social' goals**, the draft RFT:

1. **creates the expectation of inappropriate and unachievable goals** for an initial 510 hour program of English language tuition for new arrivals with less than "functional" English
2. **distorts the learning needs of new arrivals with minimal/no English by creating an artificial dichotomy** between participation in *either* the workplace *or* their local community. These mandated streams underrate the needs of new arrivals placed in the pre-employment stream for English to "participate in their community" while simultaneously restricting options for those in the social English stream. In reality, all new arrivals with minimal/no English have needs and aspirations that span (and go beyond) these two contexts.
3. **conflates the medium/long-term goals** of newly arrived migrants and refugees with *learning pathways* towards these goals.

2.1 Displacement of the settlement goals of the AMEP

ACIL-Allen Recommendation 1

The *first, clear and unequivocal recommendation* in the ACIL Allen Evaluation is that:

The AMEP's longstanding objective of settlement for migrants into Australia (through the development of English language proficiency) is clear, and should continue to be its primary goal. (p. xvii)

Current settlement focus

The Evaluation describes the current settlement focus as follows:

The settlement course helps clients develop basic settlement skills to help them to fully participate in the community. Clients learn a range of essential skills, including (but not limited to) how to access government and community services, such as banking and medical assistance, as well as understanding Australian systems, the law and their rights. Clients exiting the programme are also provided with information regarding post-AMEP pathways including further education, employment and relevant community services. (p. 9)

Draft RFT

In contrast, the draft RFT implements the AMEP's settlement objectives by requiring separate "mandatory units on Australian laws, culture and values" (Schedule 1, 1.2.2 d).

Misunderstanding of a settlement-focused English program

This requirement for separate units lacks understanding of what might constitute a coherent, integrated English language program focussed on settlement. Mandated separate 'culture' units:

- de-couple English language tuition from settlement goals
- fragment the curriculum and create unnecessary rigidities in programming and creating classes
- assume that clients in the pre-employment stream do not need English language tuition that integrates settlement content with language learning activities
- reinstate an impractical requirement from a previous contract, which, because it was unworkable, was modified mid-contract to give providers greater flexibility and discretion in how settlement content is delivered.

On the ground, different providers have adopted various approaches to settlement-specific content in the light of their experiences, feedback and different client cohorts.

Overall, the ACIL Allen Evaluation reported that:

consultations indicated that the AMEP is able to contribute to positive settlement outcomes due to the programme effectively integrating language and settlement components by providing language training using settlement issues (p. 66)

Clearly, the reason for the draft RFT mandating separate units is the attempt to counter the potentially narrowing effects of creating a separate Pre-employment Stream the AMEP. It constrains existing flexibilities and weakens its coherence as a settlement Program.

2.2 Misapplication of employment goals to the AMEP

Draft RFT interpretation of the ACIL Allen Evaluation

The draft RFT refers to the ACIL Allen Evaluations to warrant the creation of the pre-employment stream:

The evaluations noted that the AMEP would benefit from improvements that focus on strengthening client outcomes, particularly employment outcomes ...” (Schedule 1, 1.1.5).

Draft RFT disregards clear intent of ACIL Allen Evaluation

It would seem that this warrant is taken from the following sentence in the ACIL Allen document on SEE-AMEP alignment:

Consistent feedback from stakeholders suggests that the AMEP does not meet the needs of some employment-focused migrants ... (p. 16.)

The full text on p. 16 is as follows:

Both programmes [AMEP and SEE] have a focus on employment outcomes:

- The SEE programme is much more focused on the short-term employment prospects of job seekers.
- AMEP contributes directly through SLPET and indirectly through attainment of functional English.

Consistent feedback from stakeholders suggests that the AMEP does not meet the needs of some employment-focused migrants, although employment is not the aim of the AMEP, as noted in the AMEP report. At [sic] proportion of AMEP employment-focused clients exit the programme before achieving sufficient levels of English language proficiency in order to find work or to commence in the SEE programme.

That being said however, the data show that the work experience component of the AMEP enjoys a higher rate of participation than the SEE programme.

The ACIL Allen AMEP Review document devotes a whole section to discussing the needs of employment-focussed migrants (7.1.6). The section concludes:

It is ultimately difficult to adopt a prescriptive approach to ensuring that the needs of employment-focused migrants are met by the AMEP. The needs of participants and viable options available to AMEP service providers to meet those needs are highly diverse. As discussed in the preceding section, this is an area that warrants further research. (p. 99)

Further:

Transitions into employment and further study are valid objectives for the AMEP but somewhat in excess of the programme’s focus on initial settlement and functional English. If the programme is to make significant advances in ensuring improved transitions into employment and further study, this would constitute an expansion of the programme and **would therefore require an attendant increase in the level of programme funding.** (p. 100; our emphasis)

Most notably, the ACIL Allen Review's Recommendation 1 that the primary focus of the AMEP should be settlement (cited above) is made in the context of this discussion and is supported by Recommendation 5:

Given the AMEP's emphasis on delivering preliminary English skills in a settlement context, the benchmark level for the AMEP should be retained at minimum at the currently prescribed level of functional English. (p. 89)

The Evaluation's Key Finding 20 identifies the limits of functional English proficiency in relation to employment goals as follows:

Focus groups undertaken with clients for this evaluation emphasise how important employment outcomes are for many clients. AMEP clients saw employment as a way to use the skills they had developed in their country of origin, contribute to Australian society and develop economic independence. While many AMEP participants have clear aspirations to transition into work and further training, the programme by virtue of its design, precludes achievement of these goals for most clients. *The proficiency level at which clients become ineligible for and must exit the AMEP — functional English — is, by definition, generally insufficient to gain employment and participation in VET or higher education.* Stakeholders argue that some AMEP service providers could deliver the programme more flexibly to allow employed clients with more opportunities to continue their AMEP tuition outside of work hours, for example through evening and weekend classes. (p. 69; our emphasis)

The ACIL Allen Evaluation AMEP Review Key Finding 19 is that the AMEP is successful in integrating settlement and employment goals:

The AMEP plays an important role in assisting clients achieve settlement outcomes. Participation in the programme helps clients access services in the general community, develop networks in their community, understand their rights and obligations and can provide a pathway to employment and/or further study or training.

The AMEP is able to contribute to positive settlement outcomes by effectively integrating language and settlement components, delivering experiential learning and work experience and offering flexible training modes. (p. 68)

Further:

in many respects, stakeholders' concerns with the rate of, and opportunities for, client transitions to employment or further study may reflect a misunderstanding of the programme's intent ... (p. xiv)

The draft RFT's use of the ACIL Allen Evaluation as the warrant for mandating a pre-employment stream **misinterprets the Evaluation's description of the AMEP's design as a criticism.** It disregards the context and intention of Finding 20, which rests on the Evaluation's central argument, viz. that, by virtue of client intake English proficiency levels, the AMEP should maintain its long-standing settlement objectives and, as currently funded, cannot realistically prepare people for employment.

ACTA is disappointed that the **draft RFT does not give substance to its commitment to innovation and build on the AMEP's existing flexibilities by encouraging practice-based research and exploration of the issues outlined so carefully in the ACIL Allen Evaluation.**

Instead, the draft RFT institutes a top-down, inflexible mandate without consideration of possible consequences for the AMEP's coherence and focus, and its impact on the AMEP's Attainment KPI and the draft RFT's goal of increasing client retention.

*Accommodating
employment
goals in the
AMEP*

In supporting the ACIL Allen finding and recommendation on the AMEP's primary focus on settlement, ACTA should ***not*** be taken as implying that the AMEP should not (and does not) assist in setting clients on an employment and/or further study pathway. As the ACIL Allen Evaluation documents, the curriculum currently in use (the Certificates in Spoken & Written English, CSWE) gives providers the scope and resources to create different class groupings to accommodate different client starting points, needs and aspirations, and for provision to respond as learners progress in their English:

The modular approach allows AMEP clients to focus on general English skills or to target a particular area for development. Within the CSWE framework, the syllabus is designed by AMEP service providers and teachers according to the needs of their particular client group. This aims to give AMEP service providers the flexibility to select curriculum subject matter and delivery in line with changes to settlement patterns and the composition of the migration programme. (pp. 8-9)

The Evaluation documents that providers and clients reported favourably on how the AMEP integrates and balances settlement and employment goals:

Most stakeholders consider that the programme is sufficiently flexible to accommodate the needs of clients. Most AMEP service providers are able to implement a variety of teaching approaches in accordance with programme design and within the parameters of their contracts.

Moreover, the Evaluation recognised that changes introduced in the current AMEP contract increased opportunities for employment-focussed tuition once clients complete 75 per of their AMEP entitlement:

The addition of 200 hours of vocation-specific tuition, including up to 80 hours of work experience placements for eligible clients, provides migrants with English language tuition while gaining familiarity with Australian workplace language, culture and practices. (p. 12)

This employment-focussed extension of the AMEP is reported as being very successful.

The draft RFT bears out the stakeholder concerns documented in the ACIL Allen Evaluation that:

an increasing emphasis on employment and economic participation will gradually start to displace the programme's primary objective of settlement (AMEP-SEE alignment, p. xii).

On the evidence provided by this most recent Evaluation of the AMEP, separating employment from 'social' goals, and cementing them in two 'streams':

1. under-estimates the high level of flexibility already attained by the AMEP in successfully catering for diverse intakes and needs
2. introduces requirements in regard to an employment focus that are *either* redundant *or* will distort existing successful provision
3. imposes top-down requirements for the creation of class groups that will reduce providers' capacity to maintain existing flexibilities
4. will confuse and dilute the AMEP's (hitherto) primary objective of facilitating the smooth settlement in Australia of new arrivals with minimal/no English
5. will fragment the AMEP's coherence as an integrated program that combines English, settlement, social and pathway goals.

3. Violation of stated Policy Parameters and Service Delivery Principles

The draft RFT describes a clear set of "Policy Parameters" and "Service Delivery Principles" (Schedules 1, 1; Schedules 3, 1), which ACTA endorses.

Our concern is that the features that differentiate the Social English stream from the Pre-Employment stream violate almost all of these policy parameters and principles.

In particular, the key features of this stream violate the commitment to **"deliver services to a high standard"** (AMEP SPI, 1.1). The "Social English" stream introduces **a substantive reduction in the quality of provision for clients placed in this stream in regard to class size and the qualifications required to teach them.**

The justification for not requiring teaching qualifications (of *any* kind) provided in Addendum 3 is that "the Social English Stream is a less rigorous stream and therefore qualifications required can be less rigorous."

Leaving aside the questionable application of the word "rigorous"¹, this justification confuses *expectations one might have of specific types of learners* with *what is necessary to teach them*.

¹ ACTA is committed to the strong view that, although the atmosphere in a classroom may vary greatly (for example, from very relaxed to very formal), all teaching should be rigorous.

*Learners in
the Social
English stream*

The draft RFT describes the types of clients envisaged in the Social English stream solely in terms of client goals. Those in this stream will be “seeking greater competence in conversational English to help them participate socially and to gain the confidence to live independently within their local community and region”. We have already argued that this is a narrowed and restricted view of the goals of new arrivals with very limited/no English and, further, confuses medium/long term goals with how learners move towards these goals.

The draft RFT embodies further serious errors in regard to learning so-called “social English”.

*Conversational
English*

First, the draft RFT demonstrates a **profoundly erroneous understanding of “conversational English”**.

Conversational activities are valuable in assisting *all* learners to gain confidence and to practise what they have learned or already know of the target language. The pre-requisites for successful conversational activities are:

1. **very small groups** (or even one-on-one interaction) where the learner does not feel intimidated to speak and try out his/her new language
2. opportunities for learners to **interact closely with a fluent speaker** of the target language and gain motivation from this interaction.

ACTA would warmly welcome support for informal conversation activities to supplement formal classroom tuition in the AMEP. Such activities can be successfully undertaken with sympathetic and interested volunteers.

In contrast, the draft RFT envisages clients gaining “greater competence in conversational English” in classes of up to 25 learners run by someone with an unspecified three year degree and no specialist TESOL qualifications. Learning conversational English is impossible under these conditions.

*Learning
English in
conversational
settings*

Second, the draft RFT also confuses learning “social English” with **the interlanguage that is commonly acquired by those whose second/other language learning occurs mostly (or entirely) in conversational settings**. This interlanguage is commonly (and mistakenly) described as a “broken”, “fossilised” or “pidgin” version of the language. In Australia, this type of English is highly stigmatised in education and employment settings and more generally in the public domain.

Contrary to the draft RFT Policy Parameter goal to “provide pathways to greater social participation, employment, further study and training and improved economic and personal well-being” (Schedule 1, 1.1.1), the Social English stream will set clients in that stream on a pathway to exclusion. It:

- wastes the valuable, once-in-a-lifetime opportunity provided by their entitlement to 510 hours of English language tuition
- will promote their use of stigmatised forms of English, and so build further barriers to their “employment, further study and training” and “improved economic and personal well-being”.

Learning “social English”

Third, the coupling of “less rigorous teaching” with learning “social English” demonstrates a **profound misunderstanding of what is required to teach English to speakers of other languages** and to assist them to meet their goals and aspirations, *no matter what these may be*. If new arrivals (of *any* kind/previous educational background) with *any* aspirations to acquire non-stigmatised forms of English, including so-called “social English”, are to be given quality English language tuition, they require teachers with the knowledge and expert skills that are gained from reputable TESOL qualifications.

Fundamental to high quality social English teaching in the AMEP are teachers who know how to:

- teach English phonology and pronunciation, graphology, syntax, vocabulary and discourse patterns as they relate to Australian social and cultural norms
- build on learners’ first and other languages to support the psycholinguistic processes that underpin the development of listening, speaking, reading and writing skills in English
- plan lessons, develop syllabuses, manage classrooms, and use specific teaching techniques and activities to suit diverse student backgrounds, needs and aspirations
- recognise and assess individuals’ learning needs and levels, including the learning needs and likely trajectories of those without literacy in their other language(s)
- assess and report on learner starting points and progress
- work with cross-cultural knowledge and empathy
- refer clients as appropriate and necessary to other services and specialist agencies.

These competencies are not spontaneously or intuitively acquired. As one of our members wrote:

I am just about to embark on a project that is pure “social stream”. It will be for new mothers once a week, CSWE curriculum (transactions). It aims to connect mums with each other, with social and health services, to address the cultural issues they are finding new or challenging, and to practise the language used in, for example, community health service situations. I cannot imagine a non-TESOL-trained 3 year graduate dealing with the multiplicity of issues in a class of this sort.

The draft RFT requirement that teachers should be “on a positive pathway to gain a TESOL qualification” is not only vague but also grossly under-estimates what is entailed in a teacher acquiring these competencies.

Who are likely clients in the social English stream?

Although the only description of ‘social English’ stream clients is in terms of their goals, we can infer from both this description and the assessment expectation that these clients are envisaged as women with child care responsibilities, refugees with minimal/no previous formal education and possibly the elderly.

We note with concern that the absence of requirements for teachers to be TESOL qualified to teach the social English stream ignores the good teaching practices identified in the ACIL Allen Evaluation for specific AMEP cohorts (pp. 24-25), at least some of whom will inevitably be placed in this stream. See Appendix A.

It is unacceptable to propose that *any* group of clients accessing their entitlement to on-arrival English have inferior language learning requirements or lesser provision. Such a proposal takes the AMEP back to its pre-professional beginnings in the 1940s.

What will the Social English stream achieve?

Increasing class sizes and allowing the employment of unqualified teachers will clearly meet an unstated goal of the draft RFT, namely, reducing the cost of delivering the AMEP.

The RFT requirements for this stream – and the fact that it is mandated – contains perverse incentives for providers to place and keep clients in this stream in order to:

- create viable numbers for classes
- cut costs.

These same incentives will pressure interviewers of incoming clients to disguise the fact that choosing this stream will place them in larger classes taught by unqualified teachers. Rather than “ensuring that all AMEP clients are provided with information (in a form they can understand) on key AMEP issues” (AMEP SPI, 1,1.5), incoming clients will be required to make choices about tuition whose implications for quality provision they cannot possibly appreciate. As one of our members wrote:

I fear that if a social stream with a new curriculum is set up, that students may be coerced into accepting a position into these classes as it will be so much cheaper to run them. Students are vulnerable at the enrolment stage and being anxious to please, will agree to what’s offered.

When Social Stream clients discover that their teacher is inept and, further, that other clients in the same Centre have smaller classes and teachers who know how to teach, they and their providers will find it difficult for them to change streams because of the way classes have already been constituted. Experience strongly suggests they will take the path of least resistance and drop out.

Social English stream clients will bear the brunt of Government pressure on Departments and programs to reduce costs and achieve “efficiency dividends”. Achieving these cost savings by amending the law that guarantees 510 hours of English tuition for new arrivals with little or no English would invite public concern and Senate opposition.

However, these cost savings can be achieved by stealth, through the contractual-administrative creation of a new Social English stream with “less rigorous” requirements. ACTA believes that this move fundamentally undermines the Act that brought the AMEP into being.

Given the RFT description of the goals of Social Stream clients and the expectations attaching to their progress against the ACSF, they are liable to be predominantly women with childcare responsibilities and refugees with limited/no previous formal education. The inferior tuition designated for these clients is discriminatory.

Other Concerns

Other concerns regarding the draft RFT are briefly outlined below.

1. AMEP-SEE Alignment

At the root of the false employment/settlement dichotomy cemented in the draft RFT is yet another band-aid, piecemeal approach to English language provision and pathways for adult migrants in Australia. It is particularly disappointing in the context of the recent co-location of the AMEP and SEE within the one Department. As ACTA submitted to ACIL Allen Evaluation, we saw this historic move as an opportunity to bring much-needed coherence and an overall vision to adult English language and literacy provision. We outlined, at some length, the starting points for developing coherence and vision. Realising that if this development were to be truly effective, we proposed a medium- to long-term process that entailed a careful, root-and-branch review of provision and pathways in the post-school, non-University sectors, including distance learning and within the wider VET sector and industry. We envisaged this process as a collaborative endeavour by the Department and TESOL researchers and practitioners. We stressed that time would be needed for proper in-depth and open consultations, including national and/or State-based conferences of teachers, managers and experts.

This opportunity has not been taken in the draft RFT and its attendant information sessions. Even first steps towards realising it are absent.

In regard to the specifics of achieving greater coherence between AMEP and SEE provision, the two sets of Service Provider Instructions appear to have been prepared largely in isolation from each other.² The main alignments between the two programs constrain the AMEP to conform to inferior SEE protocols in regard to assessment and length of contracts.

The draft RFT’s approach to both is problematic, as we now outline.

² We note that the two documents cannot even agree on the spelling of ‘program’.

2. Assessment

The draft RFT requires AMEP providers to adopt the Australian Core Skills Framework (ACSF) assessment system used in the SEE program (Schedule 1, 1.4). As is quoted earlier, the legal definition of ‘functional English’ is specified in terms of the ISLPR. The draft RFT does not address how this requirement can be met using the ACSF.

The ACSF has attracted considerable criticism from TESOL teachers and assessment experts. ACTA is very aware that no currently available assessment tool for English language learners is without its defects and that issues entailed in developing such systems are complex and contested. We commend the ACIL Allen Evaluation’s caution on this matter, although we are certain that the IELTS or the TOEFL would be inappropriate for AMEP (and SEE) clients:

The International Second Language Proficiency Ratings (ISLPR) have been the long-standing and well accepted instrument used to assess proficiency in the AMEP since the late 1970s. They play a particularly important role in ensuring the appropriate targeting and subsequent effectiveness of the AMEP by limiting access to those that have not yet acquired functional English.

There are however a range of other assessment instruments currently being used in the English as a Second Language (ESL) sector. These include the International English Language Testing System (IELTS) and the Test of English as a Foreign Language (TOEFL), both of which are more widely used than the ISLPR.

Rec 5: The ISLPR is well suited to the AMEP and should continue to be used. The assessment of the suitability of other instruments is beyond the scope of this evaluation, but the benefits of diversification to other mainstream instruments such as IELTS and TOEFL should be reviewed.

In contrast to this cautious approach, the draft RFT ignores these complexities and mandates use of the ACSF. This simplistic solution is likely to pose fundamental problems for, among other things, the integrity of KPIs relating to learner progress.

ACTA members are concerned that the ACSF is insufficiently specific about fundamental features in learning English (notably indicators of progress in English pronunciation, vocabulary and sentence structure). This concern is acute for learners with very low English proficiency and minimal/no previous education. Despite the addition of a pre-Level 1 ACSF description, our members believe that the ACSF does not accommodate learning at a slower pace and so permit teachers to report on important aspects of these learners’ actual progress. The draft RFT requirement for Social English stream clients to attain only one ACSF indicator appears to acknowledge this concern but, in fact, does nothing to assist teachers in actually mapping these learners’ progress.

This lesser requirement is also an incentive to place clients with very low English proficiency and minimal/no previous education in the Social English stream. We note that SPP clients (i.e. those with minimal/no previous formal education) can nominate to be placed in either stream. However, the lesser Attainment KPI for the Social English stream coupled with the deficiencies in the ACSF in mapping these learners’ progress, *and* the stream’s cost-cutting advantages, mean that pressures to place these clients in that stream will dominate.

It is *precisely* these clients who should not be written off with the inferior provision and stigmatised English that we have discussed earlier. Among them are highly ambitious men and women, who – with patient, imaginative, expert teaching and well-designed pathways – have been demonstrated to

be capable of giving much to Australian society. Relegating them to the provision envisaged in the Social English stream will greatly increase the chances of entrenched unemployment and social alienation for this group, and add fuel to currently ill-informed characterisations of refugees in the public domain.

3. Reduction in length of AMEP contract

The current AMEP contract runs from 2011 to 2017. The draft RFT is for contracts from 2017 to 2020, a reduction by half.

ACTA's submission to the ACIL Allen Evaluation presented evidence- and research-based descriptions of the counter-productive effects of short-term contracting, especially when combined with competition between providers.

The evidence supporting halving the length of AMEP contracts is obscure and cannot be assessed because its details are shielded by commercial-in-confidence restrictions. The disadvantages are clear: existing problems in this method of provision will be exacerbated. It will:

1. double the time teachers, managers and government officials devote to preparing and assessing tenders
2. increase the wastage of resources and infrastructure as different providers gain/lose contracts
3. double the disruptions experienced by clients when new contracts come into force
4. encourage an increase in exploitive employment practices and drive down qualification requirements, teacher conditions and salaries (some already as low as \$25 an hour)
5. erode program effectiveness, efficiency and the ability to attract committed, well-qualified teachers
6. intensify destabilisation and low morale in the workforce
7. increase perverse incentives for both providers and public servants to hide problems in the current system.

ACTA has consistently recommended an alternative contracting system that would maintain the supposed advantages of competitive contracting (re cost savings and flexibility) but eliminate its wastefulness and encourage higher standards, viz:

Overall provider performance should be annually assessed by *independent* assessors on a 1-5 point ranking scale, viz.:

- 1 = outstanding performance
- 2 = good performance
- 3 = satisfactory performance
- 4 = somewhat unsatisfactory performance
- 5 = unsatisfactory performance.

These rankings should be determined in relation to KPIs that are collaboratively devised by the Department, providers and external experts.

Contracts should be renegotiated every 5-6 years. Providers who score 3 or below in any two consecutive years should be required to submit a complete tender that is judged competitively against other tenders from existing and potentially new providers. Providers who consistently score at levels 1 or 2 should not be required to compete for new contracts.

The halving of the length of AMEP contracts is not evidence-based. It is wasteful, inefficient, self-justifying and undermines quality. It is in direct opposition to the current Government's drive to reduce waste, red tape and unproductive expenditure.

Recommendation

Our priority in this submission has been to address requirements in the draft RFT that we regard as undermining the fundamental integrity of the AMEP. Time has not permitted our more detailed attention to other positive and negative aspects of that document.

Based on the concerns we have documented, ACTA recommends that the 2017-2020 Request for Tender for the AMEP:

6. supports and encourages providers to maintain a coherent and integrated approach to the AMEP's primary settlement objective for new arrivals to Australia who have less than functional English
7. ensures that all AMEP clients have equally high quality English language tuition in every respect
8. specifies the class size for all AMEP clients as no more than 20 students
9. specifies that all teachers employed in the AMEP have recognised TESOL qualifications.
10. adopts a more cautious, evidence-based approach to assessment by:
 - (d) retaining the option for providers to continue using the ISLPR as a placement tool as they see fit
 - (e) encouraging them to discuss and report their experiences with both the ISLPR and the ACSF
 - (f) instituting research by credible language assessment experts into appropriate assessment tools for placement, progress and accountability purposes in assessing English language and literacy the AMEP and SEE.

Conclusion

The creation two separate streams of AMEP learners is not warranted by:

1. changes required by problems in the current operation of the AMEP
2. the most recent Evaluation of the program
3. the draft RFT's stated Policy Parameters and Principles.

Increasing class sizes and allowing the employment of unqualified teachers in one part of the AMEP is clearly an administrative move to reduce costs. It subverts the intentions that underpinned the legislative entitlement to 510 hours English language tuition for eligible new arrivals with less than "functional English". It contains perverse incentives to lock already vulnerable clients into demonstrably inferior provision. It decreases the existing flexibilities and potential for innovation in the Program. It will open the way to criticism of the AMEP's outcomes and undermine its credibility.

ACTA believes that the stated Policy Parameters and Service Delivery Requirements necessitate substantive revisions to these aspects of provision in the AMEP.

APPENDIX A:

ACIL Allen Evaluation *Overview of cohort specific good practices*

AMEP Review, Figure 5, page 24:

Refugees	Survivors of torture & trauma	Limited literacy in first language
<ul style="list-style-type: none">• Teachers are able to recognise symptoms of mental illness that indicate stress in resettlement (migration, acculturative and traumatic)• Inclusion of relevant health and cultural content• Access to culturally appropriate counselling is visible and supported	<ul style="list-style-type: none">• Negotiating learner-centred strategies acknowledges the complexity of personal control and responsibility for the learner• Recognition of and support for psychological barriers to learning (e.g. fear, low self-esteem, inability to trust and negative attitudes towards education)• Personal skills are developed alongside academic skills• Literacy workers are peer and professionally supported to manage personal impacts	<ul style="list-style-type: none">• Literacy assessment in first language• Support for formal literacy in first language to assist in understanding language and literacy conventions• Clear routine and emphasis on practice and recycling of content• Repeated oral practice