AUSTRALIAN COUNCIL OF TESOL ASSOCIATIONS

SUBMISSION TO

The Evaluation of the
Adult Migrant English Program (AMEP) "new business model"

March-April 2019

CONTENTS

LIST OF TABLES AND CHARTS

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CHARTS

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ABBREVIATIONS

ACTA	Australian Council of TESOL Associations
ACSF	Australian Core Skills Framework
AMEP	Adult Migrant English Program
AMES	Adult Migrant Education Services
ARMS	AMEP Reporting and Management System
ASQA	Australian Skills Quality Authority
CALD	Culturally and linguistically diverse
CEP	Certificate in English Proficiency
CELTA	(Cambridge) Certificate in Teaching English to Speakers of Other Languages
CGEA	Certificates in General Education for Adults
CSL	Core Skills for Learning (Framework)
CSWE	Certificates in Spoken and Written English
DELTA	(Cambridge) Diploma in Teaching English to Speakers of Other Languages
DET	(Commonwealth) Department of Education and Training
EAL	English as an Additional Language (Framework)
EAL/D	English as an additional language/dialect
ELICOS	English Language Intensive Courses for Overseas Students
ESL	English as a second language
FSK	Foundation Skills (Training Package)
GATE	(Certificate 1 in) Gaining Access to Training and Employment
HE	Higher Education
ISLPR	International Second Language Proficiency Ratings (scale)
KPI(s)	Key Performance Indicator(s)
LLN	Language, literacy and numeracy
LLNP	Language, Literacy and Numeracy Program
LO	Learning Outcome
LWA	Linda Wyse & Associates
NAPLAN	National Assessment Program - Literacy and Numeracy
NEAS	National ELT (English Language Teaching) Accreditation Scheme (Ltd.)

NBM	New business model
NSW	New South Wales
PD	Professional development
PLA	Prior Learning Assessment
PTA	Prior Training Assessment
QA	Quality Assurance
RSA	Royal Society of Arts
RTO	Registered Training Organisation
SA	South Australia
SEE (Program)	Skills for Education and Employment (Program)
SLPET	Settlement Language Pathways to Employment and Training
SPP	Special Preparatory Program
TAE	(Certificate) in Training and Assessment
TAFE	Technical and Further Education (Institutes)
TELLS	TAFE English Language and Literacy Services (Queensland)
TESOL	Teaching English to speakers of other languages
TOIL	Time off in lieu (of unpaid overtime)
VET	Vocational Education and Training

EXECUTIVE SUMMARY

The starting point for any evaluation of the AMEP should be a specification of the Program's goals. ACTA endorses the first recommendation of the 2015 ACIL Allen Review, namely that the "primary goal" of the AMEP is to assist adult migrants in learning English on their pathway to settlement in Australia.

By contrast, the AMEP "new business model" is directed towards the Department of Education and Training's (DET's) administrative goal of "aligning" the AMEP with the SEE Program. In so doing, DET has imported the SEE Program's problems into the AMEP. Both Programs are now afflicted with confused goals, wasteful and overlapping provision, a failure to understand and meet client needs, and complex client eligibility requirements that block some learners' pathways. Most of all, the teaching and learning that lie at the heart of both Programs have been undermined by excessive and dysfunctional compliance requirements.

Specifically:

Targeted tuition streams. The need for providers to maximise class sizes in order to be financially viable has overridden and negated the stated aims of the targeted tuition streams (increased flexibility, increased participation, client choice and different student learning paces). This streaming has been mostly abandoned and is clearly inappropriate, ineffective and impractical.

The Special Preparatory Program (SPP). Although increased access to the SPP is welcome, this program is generally "preparatory" program in name only. Rather, it is simply an extension of AMEP hours, which has involved inappropriate placement of youth with minimal/no previous schooling in classes with older (and elderly) adults, including their parents. These young people's needs, learning styles and goals for education and employment are quite different from older learners. Like **AMEP Extend** and the **SLPET**, the SPP is a band-aid solution to the more fundamental problem of fragmentation, duplication, complex eligibility requirements and unclear outcomes that beset both the AMEP and SEE Program.

The assessment process and performance management. The Australian Core Skills Framework (ACSF) is inappropriate for English language learners because it confuses *learning mother tongue literacy* with *learning another language*. The use of the ACSF in the AMEP has been justified by a misinterpretation of the 2015 ACIL Allen Review and a gross failure to understand the fundamental difference between a *"mapping framework"* and *an assessment tool*, and what is entailed in adopting one or the other. The information provided about the ACSF's usefulness in facilitating pathways into the wider VET sector is incorrect – ACSF assessments are, in fact, redundant. The ACSF has increased provider workloads and stress to unacceptable levels. The data management system to support reporting from the ACSF is still not in place. As the basis of an Attainment KPI, the ACSF has deflected AMEP teaching and curriculum from its crucial settlement focus. The ACSF has yielded initial, progressive and exit assessments that are clearly invalid and unreliable. Rather than enhancing accountability, this lack of validity and the work generated by the ACSF's inappropriate complexity have generated reporting against KPIs that has no credibility and which teachers freely admit is based on "fictions". These fictions are maintained by auditing that is grossly contaminated by the conflicted interests of the auditors, the providers and teachers whose workloads have become impossible. Mandating use of the ACSF in the AMEP has plunged the Program into crisis.

Curriculum. The most appropriate curriculum for use in the AMEP are the Certificates in Spoken and Written English (CSWE). The "new business model" has left the choice of curriculum – and

thereby the associated costs and responsibilities – to providers. Market forces now determine what is taught in the AMEP, as providers have looked to alternatives in order to avoid the CSWE licence fee and make their AMEP tenders more cost competitive. This shift of responsibilities and costs has devolved, in large part, to teachers, who now are left to turn frameworks into actual curriculum, teaching materials and assessment tasks. ACTA deplores this duplication of effort and the inevitable decline in curriculum quality.

Qualifications. The "new business model" has also attempted to make inroads into the standard of AMEP teacher qualifications. The difficulties cited in regard to recruiting qualified teachers are clearly related to the toxic working conditions now prevailing in the AMEP and the escalating rate of resignations. There is no evidence to justify establishing a lower standard for AMEP teachers in the "social English" stream. Only the CSWE and the EAL Framework include full TESOL qualifications in their licencing requirements and for this reason (plus their content) they are the only curricula ACTA endorses for use in the AMEP. ACTA is sympathetic to offering those in rural and remote areas some leeway and support in accessing on-line specialist TESOL courses, which are available from at least two universities.

Funding model. Provider payments based on students' hourly attendance has led providers to over-enrol classes and collapse them when numbers drop below the permitted maximum (20 or 25 students) for even a couple of days. Teachers are required to follow up and report on all non-attenders, which may be double the number present in their actual classes. These duties also contribute to the excessive unpaid hours many teachers now work.

The multi-provider model. The trial of this model has ended previous collaboration (and even communication) between the two Sydney providers who previously co-operated in directing students to programs that best suited their needs. If the aim is to maximise client access to appropriate tuition, this model cannot be effective if it operates in a competitive contracting environment. Our submission includes a proposal that would remove the destructive, wasteful and inefficient aspects of competitive contracting while improving accountability and quality assurance.

The AMEP "new business model" has plunged this Program into crisis. This crisis must be addressed by:

1) reaffirming the Commonwealth's role in articulating and supporting the AMEP's broad and long-standing goals (as stated above) and managing the Program with a proper understanding of what those goals entail for adult migrants learning English as a second/additional language in a settlement context;

2) utilising the genuine potential in the AMEP's location in DET to foster appropriate and effective pathways for adult migrants into mainstream training, education and employment – pathways that consist of substantive linkages and not the chimeras produced by meaningless ACSF assessments;

3) defining clear and appropriate outcomes for both the AMEP and SEE Program that are directed to eliminating their current confused and overlapping goals, meeting the needs of different learner groups, and ending complex eligibility requirements and duplication;

4) ending the inappropriate and excessive compliance requirements that afflict both Programs.

ACTA's recommendations offer detailed proposals to achieve these objectives.

RECOMMENDATIONS

Recommendation 1: The long-standing goals of the AMEP in contributing to the settlement of migrants to Australia through the development of their proficiency in English should be re-affirmed and should govern the criteria determining the appropriateness, effectiveness and practicality of specific administrative goals.

Recommendation 2: The AMEP should be redefined as an English language learning program directed towards assisting the settlement of adult migrants whose schooling/previous education was in a non-English speaking country. In this context, settlement should be defined as reaching a level of proficiency in English that is appropriate for entry into bridging and mainstream training and higher education (HE) programs.

Recommendation 3: The AMEP's goals, intended outcomes, management, Quality Assurance, curriculum, assessment and teaching methodologies should be directed towards the Program's distinctive role in integrating tuition in English as a second/additional language with broad settlement objectives (which is not synonymous with teaching literacy) and the AMEP's unique contribution to building social cohesion in Australia.

Recommendation 4: Eligibility for the AMEP should be determined through an appropriate English as an Additional Language (EAL) assessment tool administered by a qualified EAL assessor. The Australian Core Skills Framework (ACSF) is not an appropriate tool.

Recommendation 5: The AMEP should be located within policy-making and provision in the Education and Training portfolio. This location should be exploited to strengthen and further develop pathways from the AMEP into vocational training, higher education and employment while also pursuing the AMEP's broader settlement goals.

Recommendation 6: The SEE Program should be redefined as serving the needs of English-dominant and English mother tongue speakers whose education has been predominantly or entirely in an English-speaking country, and orally fluent long-term residents, who seek to improve basic literacy and numeracy skills with a view to improved employment prospects and/or entry to VET or HE. Eligibility should be determined by a qualified Adult Literacy or EAL assessor using an appropriate assessment tool.

Recommendation 7: The Government should conduct an investigation into the language, literacy and numeracy learning needs of Indigenous Australians with a view to determining how these might be best met *within or outside* the SEE Program.

Recommendation 8: The Government should conduct an investigation into the provision of bridging/English support programs in the VET sector and HE with a view to ensuring their adequacy and effective targeting of different learner needs.

Recommendation 9: The split in the AMEP between pre-employment and social English streams should be discontinued in order to give providers real flexibility in forming classes according to learner English language levels and the specific needs of local cohorts.

Recommendation 10: Adult migrants who are seeking informal tuition and opportunities for English conversation should be referred to Community Hubs, provision for which should be expanded.

Recommendation 11: The SPP400 and SPP100 additional hours should be maintained.

Recommendation 12: DET should fund providers to the level necessary to ensure that those accessing SPP400 entitlements are placed in youth-specific classes – no matter how small – that address their learning and other specifically age-related needs. This provision should be subject to separate KPIs appropriate to youth/young adult programs and outreach. Providers should be supported in publicising and promoting this option in relevant local neighbourhoods, including collaboration with youth workers.

Recommendation 13: In awarding future AMEP contracts, DET should give priority to maintaining continuity in established quality programs for refugee youth.

Recommendation 14: DET should collaborate further with the Department of Social Services to improve and intensify training, and prepare targeted information for youth workers, community leaders, Humanitarian Settlement Services, sponsors, pre-embarkation advisors and others in contact with refugee youth in regard to their educational options and possible pathways.

Recommendation 15: DET should initiate a special Commonwealth/State/Territory Refugee Youth Task Force with the authority to investigate and recommend on:

1) current provision for refugee youth with minimal/no previous schooling aged 15-24
2) overcoming the barriers that prevent refugee youth from moving between school and the AMEP (and vice versa) to facilitate their access to locally available programs that best meet their needs
3) developing new programs and supporting existing quality programs.

Recommendation 16: The ACSF should be immediately abandoned for use in the AMEP for initial, progressive and exit assessments in the AMEP.

Recommendation 17: The ISLPR should be reinstated for initial assessments in the AMEP.

Recommendation 18: The Attainment KPI should be discarded in the AMEP.

Recommendation 19: Providers should be required to document and report on learner exit levels according to the accredited curriculum they teach. This documentation should be maintained by DET to develop a relatively sound and reliable evidence base that is independent of any KPI and not corrupted by the pressure to meet any KPI.

Recommendation 20: Auditing achievement of KPIs in the AMEP should be undertaken as a separate process by consultants who have no role in the Program other than as auditors.

Recommendation 21: The Department should initiate an independent research project with a view to determining appropriate, effective and feasible KPIs for the AMEP. The project should be separate from the current AMEP Evaluation and should build from its findings. The project team should include independent experts in public administration and English language teaching and assessment.

Recommendation 22: Tenders for the delivery of the AMEP should not be differentiated in regard to licence fees for accredited curriculum.

Recommendation 23: Prior to the next Request for Tender for the AMEP and SEE Program, providers should be independently surveyed to determine their curriculum preference(s) for English language learners in both Programs if (1) the ACSF were discontinued as the basis for KPIs and (2) if licence fees were not a cost consideration. If a significant majority (say, three-quarters) of AMEP providers opted for the CSWE, the Commonwealth should assume ownership of the CSWE and compensate its current owners accordingly. The new contract round should include an open tender

for maintaining and developing the CSWE, decided primarily on the basis of expertise in curriculum development and task-based assessment for learning English as second/additional language in a settlement context, and professional development for TESOL teachers. If no clear outcome emerged, Recommendation 22 should apply.

Recommendation 24: All teachers in the AMEP should hold an Australian Bachelor's degree or equivalent and a postgraduate qualification in TESOL.

Recommendation 25: The NEAS scheme for endorsing TESOL qualification providers should be investigated and consideration given to how it might be adopted/accepted for future AMEP teachers.

Recommendation 26: Further work should be done to determine appropriate bridging requirements for degree holders with the Cambridge Certificate in TESOL, the Cambridge Diploma in TESOL and the Trinity Cert TESOL who wish to teach in the AMEP.

Recommendation 27: The VET Certificate IV in Teaching & Assessment should not be required for any teacher in the AMEP (or SEE Program) if they hold a teaching qualification at a higher level.

Recommendation 28: The requirement that teachers hold a qualification in adult education should be met by some demonstrated attention to adult learning within or in addition to a postgraduate qualification in TESOL.

Recommendation 29: The CSWE and the EAL framework should be ruled as acceptable for use in the AMEP, while the CSL and CEP should not be accepted because (i) they are inappropriate for teaching English for settlement, and (ii) do not require teachers to hold a TESOL qualification.

Recommendation 30: Payment to providers on the basis of students' hourly attendance must be modified to reduce the perverse incentives to maintain maximum class sizes irrespective of student English and educational levels, and specific learning needs.

Recommendation 31: The award and monitoring of contracts for the AMEP and SEE Program should be streamlined and modernised on risk-based principles as follows:

1) Overall provider performance should be assessed annually and rigorously by independent assessors on a 5-point performance ranking scale, viz.:
   > A = outstanding performance
   > B = good performance
   > C = satisfactory performance
   > D = somewhat unsatisfactory performance
   > E = unsatisfactory performance.

2) Providers scoring C or below more than once in any 3 year period should be asked to show cause as to why their contract should be re-opened for tendering.

3) Providers who consistently score A or B should not be required to compete for new contracts until a new 10-12 year cycle.

4) New tenders for all provision should be called every 10-12 years.

5) The provider assessment scale should be determined in relation to KPIs devised by DET in collaboration with providers and independent external experts in public administration and

English language teaching and assessment. A research project should be instigated to investigate and develop effective and viable KPIs for the next round of contracts.

6) Provider assessments should be undertaken by a completely independent, expert body (for example, NEAS) with no other role in AMEP provision. The assessment team should include at least one outside expert in TESOL and another in public administration. Assessments should include classroom observations and interviews with students, teachers and managers.

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Introduction

The Australian Council of TESOL Associations (ACTA) is pleased to make this submission to the **Evaluation of the AMEP "new business model" (NBM)**.[1] ACTA is the peak professional body concerned with the teaching of English to speakers of other languages (TESOL).[2] The Council comprises representatives from State and Territory TESOL associations, including their presidents. Association members are TESOL teachers, consultants, curriculum developers and teacher educators in tertiary, vocational education & training (VET), community education, school and pre-school settings, as well as academics and researchers in fields related to teaching English and other languages.

The submission draws on ACTA's previous submissions and a recent survey that ACTA conducted into the provision of English to adult migrants in the Adult Migrant English Program (AMEP) and the Skills for Employment and Education (SEE) Program, responses to which totalled 435.[3] ACTA also hosted three forums to discuss the issues reviewed in the Evaluation (Sydney 2/03/2019; Melbourne 30/03/2019; Brisbane 6/04/2019). At the time of preparing this submission, Notes from the Sydney and Melbourne forums were available.

ACTA understands that the purpose of the AMEP Evaluation "is to assess the extent to which the AMEP 'new business model' is achieving its objective of improved outcomes for AMEP clients".[4] The Evaluation *Statement of Requirements* is as follows:

1. to determine the appropriateness, effectiveness and practicality of the following:
    a. targeted tuition streams – placing clients into either Social English or Pre-Employment English tuition
    b. uncapping the Special Preparatory Program (SPP) – providing all humanitarian entrants access to this sub-program
    c. additional tuition hours – providing clients access to 490 hours of tuition through the capped program, AMEP Extend
    d. innovative projects funding – inviting Service Providers to develop, trial and report on innovative service delivery
    e. the assessment process – that includes an initial assessment, progressive and exit assessments utilising the Australian Core Skills Framework (ACSF) as a benchmark
    f. performance management – utilising standardised Key Performance Indicators to enhance accountability requirements of Service Providers
    g. curriculum – appropriate curricula for English language tuition in both the particular streams
    h. teacher qualifications – stipulated program, curriculum licencing and regulatory requirements
    i. funding model – hourly tuition fees across AMEP tuition streams, SPP and Settlement Language Pathways to Employment and Training (SLPET)
2. to build on the AMEP multi-provider model evaluation plan developed by Social Compass to determine the appropriateness, effectiveness, value and viability of a multi-provider service delivery

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[1] Henceforth "the Evaluation".
[2] http://www.tesol.org.au/
[3] Henceforth "the ACTA survey". The survey can be found at https://www.surveymonkey.com/r/HMR5QTQ. We particularly commend the Evaluation to our most recent submission to the *Review of Vocational Education & Training* (January 2019), the May 2018 paper *Problems in the AMEP and SEE Program* together with other submissions, both of which can be found at http://www.tesol.org.au/Advocacy/ADULT-EAL-NEWS-AND-ISSUES#VET_Review, and our submission and supplementary submission to the June-Sept 2017 Parliamentary Inquiry into Settlement Outcomes at http://www.tesol.org.au/Advocacy/Media-Room
[4] Participant Information Statement.

> model in the AMEP and make a recommendation on the advantage and viability of expanding the multi-provider model into other contract regions
3. to look at the effectiveness of the provision of child care for AMEP clients and Service Providers' ability to support their clients' needs
4. to explore the success or otherwise of the alignment between the AMEP and Skills for Education and Employment (SEE) program with particular emphasis on the use of the ACSF as a common assessment framework for English proficiency, a combined procurement process for AMEP and SEE, as well as the introduction of similar administrative arrangements.

This submission will address these issues as follows:

1) the goals of the AMEP (re *requirements 1, 4* and *"improved outcomes for migrants"*)
2) the goals of the SEE Program (re *requirement 4*)
3) in what portfolio should the AMEP be located? (re *1 and 2* above)
4) targeted tuition streams (*requirement 1a*)
5) extra tuition hours - uncapping the Special Preparatory Program (SPP) and capped additional tuition hours in AMEP Extend (*requirements 1b & c*)
6) assessment – use of the Australian Core Skills Framework (ACSF) as a benchmark and to align the AMEP and SEE Program (*requirements 1e & 4*)
7) performance management (*requirement 1f*)
8) curriculum (*requirement 1g*)
9) teacher qualifications (*requirement 1h*)
10) the funding model (*requirement 1i*)
11) the "multi-provider service delivery model" in the AMEP in the context of the current method of competitive contracting (*requirement 2*).

This submission does not address innovative projects funding (1d) or child care (3) because ACTA has insufficient information about these areas.

1. The goals of the Adult Migrant English Program (AMEP)

ACTA is disappointed that at no point in information we have received about the current Evaluation is there any reference to the mission and intended role/goals of the AMEP. What might constitute "improved outcomes for AMEP clients" as listed in the *Statement of Requirements* are administrative goals.

This failure to articulate the educational and social goals to which the AMEP is directed is symptomatic of the fundamental problems that now beset this Program, as will be elaborated throughout this submission.

We therefore begin this submission with our understanding of the AMEP's mission and goals.

Since its establishment in 1948, the AMEP has been a corner stone in Australia's post-War immigration program. Eligibility for the Program is governed in law by the *Immigration (Education) Act 1971*. In 1992, amendments guaranteed that eligible migrants 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", the definition of which is the responsibility of the Minister.[5] The

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[5] "The Minister with responsibility for the AMEP may specify procedures or standards for the definition of Functional English". Adult Migrant English Program Service Provider Instructions 2017-2020, Schedule 3, part 2, para. 11, p. 15. For how functional English is

Program caters for approximately 60,000 people annually, about 26 percent of whom are humanitarian entrants.[6]

The most recent publicly accessible consideration the AMEP's goals occurred in the 2015 ACIL Allen Review.[7] The Review's first, clear and unequivocal recommendation was 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)

The Review described this goal 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)

To ACTA's knowledge, no statement rescinding or rejecting ACIL Allen's recommendation 1 has been made since that Review. We call for its clear re-endorsement in the following recommendation:

> **Recommendation 1:** The long-standing goals of the AMEP in contributing to the settlement of migrants to Australia through the development of their proficiency in English should be re-affirmed and should govern the criteria determining the appropriateness, effectiveness and practicality of specific administrative goals.

Our recommendation is not academic. The ACIL Allen Review noted "stakeholder concern that an increasing emphasis on employment and economic participation will gradually start to displace the programme's primary objective of settlement".[8] This concern has proved well-founded. The AMEP "new business model" has substantially obscured and undermined the AMEP's settlement and English language learning goals. This shift has played out specifically in:

1) **the creation of two streams in the AMEP**, one designated "pre-employment" and the other ("social English") clearly a residual and lesser offering
2) **the mandated assessment framework**, viz. the ACSF, which is unsuitable for English language learners and whose stated purpose is to align the AMEP with the SEE Program
3) **the ACFS's "washback"** on curriculum, professional development, Quality Assurance and reporting on KPIs
4) **provider choice of curriculum**, which has led to the creation and use of unsuitable and lower quality curricula for English language learners (see 3 above)

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currently defined, go to: https://archive.homeaffairs.gov.au/about/corporate/information/faqs/how-can-i-prove-i-have-functional-english.

[6] https://www.education.gov.au/background-amep
[7] The Review consists of three volumes:
ACIL Allen, published in May 2015. It consists of three volumes:
https://docs.education.gov.au/system/files/doc/other/amep_evaluation_report_-_for_public_release.pdf
https://docs.education.gov.au/system/files/doc/other/see_programme_evaluation_report.pdf
https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf
[8] https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf p. xii

5) the current regulatory requirements for **teacher qualifications**, which are undermining professional standards in teaching English as an additional language to adult migrants and deterring TESOL-qualified teachers from joining or remaining in the AMEP.

These displacements of the AMEP's role in facilitating migrant settlement will be elaborated below.

2. The goals of the Skills for Employment and Education (SEE) Program

The move to "align" the AMEP with the SEE Program makes the latter's goals relevant. This move stems at least as much from the AMEP's (relatively) new location in the Department of Education and Training (DET) as it does from the ACIL Allen Review. The AMEP began in 1948 under the aegis of State Education Departments, which set up what became Adult Migrant Education Services[9] that were fully funded by the Commonwealth. Policy was determined within the Immigration portfolio and materials were supplied by the Commonwealth Office of Education.[10] From 1977 until 2013, the AMEP was managed solely within the Immigration portfolio. In the process that gave rise to the Department of Immigration and Border Protection, the AMEP went briefly to the Department of Industry (2013) and then to DET (2014). The displacement of its settlement role has accompanied its location in DET.

The SEE Program, to which the AMEP has supposedly been aligned in the "new business model", is officially described as providing "language, literacy and numeracy training to eligible job seekers, to help them to participate more effectively in training or in the labour force".[11] The SEE Program is the most recent iteration of a succession of labour market programs since the 1980s, managed by DET and its predecessors.[12]

While the "new business model" has confused the AMEP's goals, this problem has been long-standing in the SEE Program and its predecessor, the Language, Literacy and Numeracy Program (LLNP).

Defining SEE/LLNP clients as "eligible job seekers", their goals as participating "more effectively in training or in the labour force" and what they need to learn as "language, literacy and numeracy" obscures the starting points of the three different types of learners actually enrolled in the SEE Program and their fundamentally different pathways towards the desired outcomes.[13]

The SEE Program serves:

- **adult learners of English as a second/additional language** who have been socialised in non-English speaking countries and (to a greater or lesser extent) educated there – *they need to learn English to assist their settlement in Australia and facilitate their engagement in the wider society, which includes accessing pathways to training, education and employment*
- **adults for whom English is their only or dominant language**, who have been educated mainly or entirely in Australia but whose literacy and numeracy skills are insufficient for the

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[9] Only one such service survives: AMES Australia in Victoria, now a Registered Training Organisation.

[10] Martin, Shirley (1998) *New life, new language: The history of the Adult Migrant English Program.* National Centre for English Language Teaching & Research, Macquarie University, pp. 6-17. https://trove.nla.gov.au/work/9483209

[11] https://www.education.gov.au/skills-education-and-employment

[12] Its predecessor was the Language, Literacy & Numeracy Program (LLNP), which it replaced in 2002.

[13] For an elaboration of the differences in these groups' learning needs, please see the ACTA Background Paper *Problems in the Adult Migrant and SEE Program* http://www.tesol.org.au/files/files/591_Problems_in_the_AMEP_SEE_Program_25_May_2018_-_an_ACTA_Background_Paper.pdf

> workplace – *they need to build on their English to improve their literacy and numeracy skills for use in training, education and employment*

- **adult Indigenous learners of standard Australian English as a second/additional language or dialect** and whose numeracy skills may also be limited – *they need to build on their cultural and linguistic knowledge to gain additional competence in standard Australian English and other skills for use in education and employment.*

Statistics on these different groups within the SEE Program can be found in reply to a Senate Estimates Question that sought "the breakdown of SEE clients according to language background and the location of their previous schooling". Supporting our claim that the SEE Program takes no account of how starting points relate to learning needs, the answer was that "the department does not keep records of the location of … previous schooling".[14] Figures on language backgrounds are summarised in Table 1 below.[15]

Table 1: SEE clients according to language background

LANGUAGE	SEE CLIENTS ASSISTED BETWEEN JAN. & APRIL 2018	
	No.	%
1) No indication (includes English)	6,740	35
2) Migrant languages other than English	12,091	63
3) Aust. Indigenous languages (Djambarrpuyngu: 19; Gunwinggu/Kunwinjku: 14)	33	0.17
4) Other minority language	265	1
TOTAL	**19,129**	**100**

Table 1 shows that, at very least, 63% of SEE students (in Jan-April 2018) were **adult migrant English language learners** (i.e. group 2 above); 35% or fewer were **English-dominant or English native speakers** (i.e. group 1); less than 1% were **Indigenous learners of standard English as an additional language/dialect**, although some Indigenous learners are almost certainly within the "no indication" and "other minority language" groups (groups 1 & 4).

The predominance of adult migrant English language learners in the SEE Program is explained by it being effectively the only or main pathway from the AMEP for migrants who have exhausted their AMEP entitlements *or* who have achieved "functional English" *or* who have failed to use their AMEP entitlements within the mandated time frame. However, the SEE Program is also denied to adult migrants who are seeking further English but are determined by Centrelink not to be "job seekers". This determination masks a variety of complex visa and other criteria which (according to anecdotal evidence available to ACTA) are frequently applied inconsistently.[16]

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[14] Dept. of Education & Training SQ18-000619, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.

[15] For the full answer, see Appendix 1.

[16] See ACIL Allen *SEE-AMEP Alignment Report* Recommendations 1, 2, 3, 4, 5 and 7 for evidence of overlap and unclear goals. See also the ACIL Allen *AMEP Evaluation* volume https://docs.education.gov.au/system/files/doc/other/amep_evalution_report_-_for_public_release.pdf Chapter 7

The result is that, in the tuition *actually occurring* in SEE Centres, the majority's English language learning needs outweigh the minority's very different needs (basic literacy and numeracy). Some Indigenous learners' needs are totally obscured and, ACTA suspects, largely unmet. According to ACTA survey responses, in some cases these three types of learners can be found together in the same class (sometimes a designated AMEP class, which could not be more inappropriate).

Paradoxically, although the majority of SEE Program students are there to learn English, its curriculum and assessment are based on approaches that assume students are native or near-native English speakers with basic literacy and numeracy learning needs. **The "alignment" of the AMEP with the SEE Program in the "new business model" has carried these assumptions into the AMEP, as will be elaborated below** (sections 5 and 8).

If the move to DET has burdened the AMEP with the problems inherent in the SEE Program, the question arises as to which Department should be responsible for the AMEP, an issue to which we now turn.

3. Where does the AMEP belong?

ACTA is aware that evidence was given to the 2017 Parliamentary *Inquiry into Migrant Settlement Outcomes* recommending that the AMEP return to the Social Services or Immigration portfolios in order to sit alongside and facilitate better integration with Settlement programs. As we elaborate here, we are absolutely opposed to this recommendation because it would entrench the main problem the AMEP faced when it was located in Immigration, namely its disconnection from mainstream pathways into education, training and employment.

The co-location of the AMEP and SEE Program in the same Department provided an excellent opportunity for a wholesale re-thinking of both Programs to clarify the goals and "clients" they serve. Instead, the AMEP has fallen victim to DET's history, culture and policies in administering labour market training**.** As we will elaborate in section 6 below, the "new business model" has radically misinterpreted a key ACIL Allen recommendation by simply applying the assumptions of the SEE Program to the AMEP. The current alignment of the AMEP with the SEE Program and all its problems is destroying the AMEP.

Nevertheless, despite the tunnel vision evident in every aspect of the "new business model", ACTA strongly believes that the AMEP is best placed within the Commonwealth portfolio that governs national policies for and management of education and training. Moving the AMEP to Social Services or Immigration would return the Program to its previous siloed location. It would reinstitute previous cross-Departmental barriers to developing pathways into mainstream training, education and employment. It would entrench the piecemeal, band aid fixes and the current inconsistent, overlapping, expensive and dysfunctional provision in both the AMEP and SEE Program, and would escalate the difficulties in embarking on the fundamental change that is needed to eliminate the lack of clarity attaching to the SEE Program and its relationship to the AMEP. It would inflict yet another round of disruption on providers.

The *only* way forward is for DET to change. The Department must develop a completely new, evidence-based understanding of and commitment to quality English language provision. It must recognise and foster the AMEP's unique goals and commit to understanding and meeting the special learning needs of the students in this Program. The role of the SEE Program must be re-thought. An integrated, holistic and much broader perspective on learner pathways is required.

At the heart of both the AMEP and SEE Program are **students** learning from committed and skilled **teachers**. To deliver quality teaching, these teachers require support from curriculum, materials, modes of assessment, professional development and respect for their professionalism. It would be an extraordinary failure of policy and public administration to admit that those responsible for the Education and Training portfolio are incapable of understanding the educational requirements of these students and teachers or the educational tasks at hand, and that they cannot administer these educational endeavours in appropriate, effective and practical ways.

Accordingly, ACTA makes the following recommendations.

Recommendation 2: The AMEP should be redefined as an English language learning program directed towards assisting the settlement of adult migrants whose schooling/previous education was in a non-English speaking country. In this context, settlement should be defined as reaching **a level of proficiency in English that is appropriate for entry into bridging and mainstream training and higher education (HE) programs.**

Recommendation 3: The AMEP's goals, intended outcomes, management, Quality Assurance, curriculum, assessment and teaching methodologies should be directed towards the Program's distinctive role in **integrating tuition in English as a second/additional language with broad settlement objectives** (which is not synonymous with teaching literacy) and the AMEP's unique contribution to building social cohesion in Australia.

Recommendation 4: Eligibility for the AMEP should be determined through **an appropriate English as an Additional Language (EAL) assessment tool** administered by a qualified EAL assessor. The Australian Core Skills Framework (ACSF) is not an appropriate tool.

Recommendation 5: The AMEP should be located **within policy-making and provision in the Education and Training portfolio**. This location should be exploited to strengthen and further develop pathways from the AMEP into vocational training, higher education and employment while also pursuing the AMEP's broader settlement goals.

Recommendation 6: The SEE Program should be redefined as **serving the needs of English-dominant and English mother tongue speakers** whose education has been predominantly or entirely in an English-speaking country, and **orally fluent long-term residents**, who seek to improve basic literacy and numeracy skills with a view to improved employment prospects and/or entry to VET or HE. Eligibility should be determined by a qualified Adult Literacy or EAL assessor using an appropriate assessment tool.

Recommendation 7: The Government should conduct an investigation into the language, literacy and numeracy learning needs of Indigenous Australians with a view to determining **how these might be best met *within or outside* the SEE Program**.

Recommendation 8: The Government should conduct an investigation into **the provision of bridging/English support programs in the VET sector and HE** with a view to ensuring their adequacy and effective targeting of different learner needs.

4. Targeted Tuition Streams *(requirement 1a)*

4.1 Rationale

The rationale for the "targeted tuition streams" ("pre-employment" and "social English") was described in Senate Estimates as follows:

> The streams were created to increase flexibility in program delivery to better meet client needs and increase participation in the Adult Migrant English Program (AMEP).[17]

Aspects of this rationale were elaborated as follows:

> The nature of the Pre-Employment stream is to deliver English language tuition in the context of life in Australia, including workplace culture and skills for further education. The purpose of this stream is to improve clients' English proficiency to assist them to participate in the workforce and the Australian community. The target group are those who wish to improve their employment prospects or further their education. The nature of the Social English stream is to deliver English language tuition in a less formal setting, contextualised on [sic] Australian life skills. The purpose of this stream is to improve clients' English proficiency to allow them to independently participate in the Australian community. The target group for this stream are clients who may not be seeking to find employment or wish to further their education in Australia.[18]

> The rationale for the different class sizes in the tuition streams is based on the expected progression rates of clients. The Adult Migrant English Program (AMEP) service providers will be bound by outcome-focussed Key Performance Indicators in relation to the improved English language proficiency of clients. Due to different outcomes achieved, the required rate of progression for AMEP clients in the Pre-employment stream is higher than that of the Social English stream. The slightly larger class size for the Social Stream is also more suited to the conversation-based learning activities that will form a key part of tuition for that stream. Current AMEP class sizes are 22.

> …

> The Social Stream was developed following public consultation and the ACIL Allen evaluation. The reforms to AMEP were developed to provide flexibility in tuition delivery, including for those clients who may want to learn English in a more conversational and social context. The Social stream aims to attract a cohort of migrant [sic] who would otherwise not enrol in AMEP.[19]

> The social English stream has a standard for teacher qualifications that acknowledges the pace and progression of clients in this stream will be slower than the pre-employment stream. The standard also acknowledges that highly qualified teachers can be difficult to source in many regional and remote areas of Australia. This standard will enable AMEP service providers to attract and develop talented teachers within AMEP and offer them a career pathway within the program.[20]

In regard to flexibility in program delivery:

Rather than increasing flexibility in program delivery, the streams have imposed additional constraints on providers. According to participants in the ACTA Sydney forum, the different tuition streams had undermined providers' ability to deliver and focus on real life skills in the Program and

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[17] Dept. of Education & Training SQ16-000932, Senator Jacinta Collins provided in writing, Supplementary Budget Estimates 2016-2017.

[18] Dept. of Education & Training SQ16-000932, Senator Jacinta Collins provided in writing, Supplementary Budget Estimates 2016-2017.

[19] Dept. of Education & Training SQ16-000938, Senator Jacinta Collins provided in writing, Supplementary Budget Estimates 2016-2017.

[20] Dept. of Education & Training SQ16-000935, Senator Jacinta Collins provided in writing, Supplementary Budget Estimates 2016-2017.

to address student needs, for example, by creating classes at similar English language levels (currently a major problem – see section 10) and special classes for youth or women.

The streams have also imposed additional reporting burdens. They were described in the Sydney forum as "a bureaucratic nightmare and of no benefit to students".[21]

The Department has reported that 12% of total enrolments registered for the social English stream (n. = 5973) from July 2017 to April 2018. However, in the ACTA survey, only three managers (out of a total 78) reported that separating the streams was a consideration in forming classes. In the Sydney forum, it was said that streamed classes no longer exist and reporting on them was "a fiction". It seems that providers have mostly abandoned streaming students because it conflicts with other priorities, not least of which is maintaining classes at the maximum permitted size (see section 10).

In regard to increased student participation:

Student numbers in the AMEP dropped from 35,495 (April-June, 2017) to 29,324 (April-June 2018).[22]

It was reported in the Sydney ACTA forum that AMEP classes had closed in southern NSW. The financial pressure to maintain the maximum number of students in a class was said to be the reason (see section 10).

According to an answer provided in Senate Estimates, the current Evaluation "will address the participation rates and attainment levels in the Social English and Pre-employment English streams".[23] ACTA looks forward to seeing these data.

In regard to the different target groups and class sizes:

Providing "targeted tuition" to separate streams cannot be achieved if learners are placed in the same class.

It is clear from the ACTA survey and the ACTA forums that not only are students placed in classes that combine the two streams but also that classes routinely combine AMEP and SEE students, others supported by State funding sources, and sometimes even fee-paying ELICOS students.[24]

ACTA hopes that the Evaluation will gain further data on the number of classes formed solely of "social English" students, those containing a mix of streams, AMEP and SEE students, and those funded from other sources.

In regard to different rates of progression:

The KPI relating to different rates of progression has, we understand, been abandoned and is now the rate initially set for progression in the social English stream.

In regard to the ACIL Allen review:

We can find no recommendation for separate streams in that Review.

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[21] Composite Notes ACTA Sydney forum http://www.tesol.org.au/files/files/607_Composite_notes_from_Sydney_AMEP_forum.pdf p. 3.

[22] Dept. Education & Training SQ18-000616, Senator Doug Cameron provided in writing, Supplementary Budget Estimates 2018-2019.

[23] Dept. Education & Training SQ18-000656, Senator Sarah Hanson-Young 20 June 2018, Supplementary Budget Estimates 2018-2019.

[24] ELICOS = English Language Intensive Courses for Overseas Students.

In regard to lower teacher qualifications for social English clients:

The evidence is non-existent that would support using teachers without TESOL qualifications teaching the potential clients for the "social English" stream.

ACTA supports community provision for informal conversation classes aimed primarily at social interaction in local settings. We believe there is considerable potential to expand Community Hubs as recommended by the 2018 Parliamentary *Inquiry into Migrant Settlement Outcomes* and accepted by the Government.[25]

In regard to attracting teachers with lower qualifications in rural and regional areas:

The Department has no basis for making this claim because it does not collect teacher data "according to geographic region".[26]

Regarding career pathways for "talented teachers":

Likewise, the Department has no basis for this claim, given that:

> The department does not collect data on the career pathways for AMEP teachers. A teacher's career pathway is a matter for the individual teacher and their employer[27].

Rather than being on a career path, approximately 45% of respondents to this question in the ACTA survey (n. = 166/370)[28] reported that they were in some form of short-term employment (three/one year/one term contracts, weekly/daily sessional), 61% (n. = 218/355) reported they were not on any career path, and 21% (n. = 73/355) didn't know. The following comments reflect the situation in regard to the AMEP offering "talented teachers" an attractive career path:

* *In 12 years of employment in the AMEP, I have had more than 30 contracts; some for as little as a few days. Until I gained permanence (through the AEU), I felt that the agenda of my employer was to always check to see if they could get rid of me. I have never felt that there was any sort of career path - quite the opposite. We always felt that we were of no value whatsoever to this employer, despite our effort and commitment to the program and the students.*

* *There was talk of different contracts, but clearly as the focus was on filling classes to the max instead of quality education, giving anything other than temporary casual contracts to most employees for Navitas and Max (who I only worked for briefly) was not ever going to be a viable option.*

* *There was no career path. No permanency due to tendering.*

* *My provider put everyone, except two trainers, on casual contracts when they first started, but three months later were offering permanent contracts to all casuals so they could force permanent trainers to work during the school holidays. They then started to place all new trainers on permanent contracts when employment commenced.*

* *A 12 month contract initially but since September 2018 only 3 month contracts.*

* *I had worked for Navitas for 2 years prior to 2017 but left because of the unrealistic workload, the focus on assessment collection over quality teaching and the treatment of staff by Navitas. I work for them casually but have had to find a career elsewhere. Navitas destroyed the teaching career path I was on.*

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[25] https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Government_Response
[26] Dept. of Education & Training SQ18-000618, Senator Doug Cameron 15 June 2018, Supplementary Budget Estimates 2018-2019.
[27] Dept. of Education & Training SQ18-000618, Senator Doug Cameron 15 June 2018, Supplementary Budget Estimates 2018-2019.
[28] We assume the total, which is higher than the total number of respondents, reflects people who work more than one job.

4.2 Overlap between the AMEP pre-employment stream and the SEE Program

Aside from the constraints and burdens streaming has placed on AMEP providers, the creation of two streams relates directly to the issues raised above regarding Program goals. The distinction between the AMEP "pre-employment" stream and the SEE Program was explained in a reply to a Senate Estimates question as follows:

> The SEE program has an explicit and direct focus on achieving employment or further training for eligible jobseekers, while the AMEP recognises that engaging with the labour market is pivotal to successful settlement. Both the SEE program and the AMEP's Pre- Employment stream provide accredited training, with the SEE program offering a greater range of accredited training across various levels of language, literacy and numeracy ability. AMEP curricula focuses on delivering English language training to functional English.[29]

In ACTA's view, these semantics hide what is clearly a significant overlap between the AMEP pre-employment stream and the SEE Program. Our view is supported by responses to the ACTA survey. As already indicated, 21% of respondents (n = 72/350) reported that at least some of their classes were a mix of AMEP and SEE clients, 12% (n = 41/350) reported all their classes contained both types of clients, and 5% were not sure (n = 19/350). Re the "*SEE program offering a greater range of accredited training*": extending the AMEP's curriculum options in the current contract has dissolved this difference.

4.3 ACTA Recommendations on streaming in the AMEP

ACTA's recommendations are as follows.

> **Recommendation 9**: The split in the AMEP between pre-employment and social English streams should be discontinued in order to give providers real flexibility in forming classes according to learner English language levels and the specific needs of local cohorts.
>
> **Recommendation 10**: Adult migrants who are seeking informal tuition and opportunities for English conversation should be referred to Community Hubs, provision for which should be expanded.

5. Extra tuition hours - the Special Preparatory Program (SPP) and AMEP Extend (*requirement*s 1b & c)

5.1 The SPP

According to the draft Request for Tender, the SPP is directed to all clients on humanitarian visas "in recognition of their difficult pre-migration experiences". Those aged 15-24 years who have 7 years or less of schooling are entitled to 400 SPP hours in addition to their AMEP hours, while those under 25 years with 8 years or more of schooling, and those aged 25 years and over, may have 100 SPP hours. Those enrolled in SPP "learning activities may use their SPP hours prior to accessing their 510-hour entitlement".[30]

There is no question regarding the necessity of extra hours for these clients.

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[29] Dept. of Education & Training SQ18-000619, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.
[30] Adult Migrant English Program Service Provider Instructions 2017-2020, Attachment B, para. 6.8.

We assume that the Evaluation will investigate the client take-up of these hours. In that regard, it should not be assumed that failure to fully access these entitlements reflects a lack of motivation. Respondents to the ACTA survey reported that the main reason for withdrawing from both the AMEP and SEE program is "personal pressures (own or family member illness/stress/other responsibilities)", while gaining employment was also a common reason, as shown in Table 2 below.

Table 2: Reasons for students discontinuing classes

	VERY COMMON	SOMEWHAT COMMON	SOMEWHAT RARE	VERY RARE	IRRELEVANT	TOTAL
Gaining employment	16.26% 40	45.53% 112	19.51% 48	12.20% 30	6.50% 16	246
Personal pressures (own or family member illness/stress/other responsibilities)	42.07% 130	38.83% 120	9.39% 29	3.56% 11	6.15% 19	309
Feeling/becoming unmotivated to learn English	1.92% 6	17.31% 54	25.32% 79	38.14% 119	17.31% 54	312
Feeling that course content did not meet learning needs	1.91% 6	12.10% 38	27.71% 87	40.13% 126	18.15% 57	314
Discouraged by assessment requirements	5.75% 18	13.74% 43	27.80% 87	34.50% 108	18.21% 57	313
Dissatisfaction with teaching style/approach	0.32% 1	6.37% 20	22.61% 71	48.09% 151	22.61% 71	314
Classmates not at student's English level	1.91% 6	13.69% 43	30.57% 96	34.39% 108	19.43% 61	314
Classes too difficult	1.59% 5	11.78% 37	29.62% 93	39.17% 123	17.83% 56	314
Classes too easy	0.64% 2	8.36% 26	31.19% 97	40.19% 125	19.61% 61	311
Difficulty in adjusting to classroom learning	1.92% 6	13.42% 42	30.03% 94	36.74% 115	17.89% 56	313
Personal/gender/cultural/age issue(s) with other classmates	0.96% 3	7.64% 24	24.52% 77	43.95% 138	22.93% 72	314

Regarding the SPP400 hour classes for 15-24 year olds with minimal/no previous schooling, 15 out of 77 Centre managers who responded to this ACTA survey question reported that their Centres offered more than three special classes for these learners, while a further 22 offered between one and three special classes. 40 managers reported that they did not offer such classes.

Where Centres contain SPP400 students (and possibly SPP100 students) but do not offer separate SPP classes, designating their extra hours as "a preparatory program" is a fiction, since these students are in regular AMEP classes.

If AMEP classes are at their English level, this is unproblematic for SPP100 students. In contrast, placing 15-24 year olds (SPP400 students) in regular adult classes is highly problematic because adolescent and young adult learning needs, learning styles, social needs, motivations and aspirations are quite different from those of older adults. One ACTA survey respondent reported teaching a class where the ages ranged from 17 to 90. Another reported teaching a class consisting of: five 15 year olds, three 16 year olds, two 19 year olds, two 25 year olds, one 46 year old and one 63 year old.

The problem with mixing age groups in this way was described by one ACTA survey respondent:

Students from 17 to 75 years of age [in the one class]. *Younger students have been rejected from entering high school by the state school system. The spread of ages creates a problem as younger learners need a faster paced class, but senior learners require a much slower pace. There is little overlap in content that is personally relevant to such a broad range of ages. People are at different stages of life and have different goals.*

These different learning needs are explored at length in a 2008 AMEP Research Centre report on the SPP and in the ACTA submission to the 2018 *Inquiry into Migrant Settlement Outcomes*.[31]

We suggest that Evaluation seek data on the numbers of SPP clients in SPP-specific classes, assuming, of course, that DET collects such data.

The main reason for providers not offering separate SPP400 classes is summed up in the following comment:

We simply don't have the capacity to form special classes with the limited number of student we get and the need to have average attendances in every class of 16+ every day to break even.

This seeming lack of demand should not be taken at face value, given the numbers of these young people who languish and drop out of age-appropriate mainstream classes in high schools. The reasons for this disjunction were also explored at length in the 2008 Report just mentioned.[32] The apparent lack of demand for SPP400 classes follows from several intersecting problems: inflexible boundaries between the school and adult sectors particularly when it comes to interpreting entitlements to English language tuition; poor information available to likely SPP400 students and the misapprehensions they (and their parents and community elders) have about the Australian education system; and the needs-based financial incentives for schools to admit these students coupled with a lack of accountability for how this money is deployed.[33] ACTA believes that the problem of lack of demand is a self-fulfilling prophecy: if quality youth classes are not offered and promoted, these youth do not know about or seek out this option; conversely, well-promoted high quality classes will attract them.

In regard to improved information to incoming humanitarian entrants, ACTA notes Recommendation 3 of the *Inquiry into Migrant Settlement Outcomes* and the Government's acceptance of this in principle, viz. at least 100 hours of Australian cultural training to be provided within the Australian Cultural Orientation Program for refugee and humanitarian entrants prior to arrival.[34] ACTA is of the view that this Recommendation is on the right track but does not go far enough in ensuring sufficient time or focus on educational and training options for youth with minimal/no previous schooling.

ACTA very much hopes that the Evaluation team will probe issues relating to special AMEP provision for refugee youth with minimal/no previous schooling and the factors that have made special youth classes viable for some providers but not for others. Given the current fear-mongering regarding refugee youth in Melbourne, this matter should be a prime concern.

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[31] Moore, H, H Nicholas & J Deblaquiere (2008) 'Opening the Door': Provision for Refugee Youth with Minimal/No Schooling in the Adult Migrant English Program Project 21: 'Modes of Delivery for SPP Youth' Sydney, Macquarie University: AMEP Research Centre, p 42. http://wwwameprcmqeduau/docs/research_reports/research_report_series/Opening_the_doorpdf See especially section 4.2, p. 31ff, section 4.3, p. 33ff, section 5.2, p. 45, and chapter 8, p. 65 ff.
ACTA submission to the Joint Standing Committee on Migration *Inquiry into Migrant Settlement Outcomes*, May 2017, http://www.tesol.org.au/Advocacy/EALD-ISSUES-SCHOOLS sections 2.4 (p. 39ff), 3.6 (p. 94ff) and 4.4 (p. 135ff).
[32] See section 5.5, p. 51ff.
[33] See ACTA submission to the Joint Standing Committee on Migration *Inquiry into Migrant Settlement Outcomes*, May 2017, http://www.tesol.org.au/Advocacy/EALD-ISSUES-SCHOOLS section 3.4.5, p. 57ff, and especially (i) p.62 ff
[34] https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Government_Response

In this context, and anticipating our final section on competitive contracting, ACTA draws attention to the deplorable termination in the 2017 AMEP contracts of the comprehensive youth program run by AMES Australia in Melbourne.[35]

ACTA's recommendations in regard to the SPP100 and SPP400 extra entitlements are as follows:

> **Recommendation 11:** The SPP400 and SPP100 additional hours should be maintained.
>
> **Recommendation 12:** DET should fund providers to the level necessary to ensure that those accessing SPP400 entitlements are placed in youth-specific classes – no matter how small – that address their learning and other specifically age-related needs. This provision should be subject to separate KPIs appropriate to youth/young adult programs and outreach. Providers should be supported in publicising and promoting this option in relevant local neighbourhoods, including collaboration with youth workers.
>
> **Recommendation 13:** In awarding future AMEP contracts, DET should give priority to maintaining continuity in established quality programs for refugee youth.
>
> **Recommendation 14:** DET should collaborate further with the Department of Social Services to improve and intensify training, and prepare targeted information for youth workers, community leaders, Humanitarian Settlement Services, sponsors, pre-embarkation advisors and others in contact with refugee youth in regard to their educational options and possible pathways.
>
> **Recommendation 15:** DET should initiate a special Commonwealth/State/Territory Refugee Youth Task Force with the authority to investigate and recommend on:
>
> 1) current provision for refugee youth with minimal/no previous schooling aged 15-24,
> 2) overcoming the barriers that prevent refugee youth from moving between school and the AMEP (and vice versa) to facilitate access to locally available programs that best meet their needs
> 3) developing new programs and supporting existing quality programs.

5.2 AMEP Extend

AMEP Extend allows those who have completed their 510 hour entitlement a further 490 hours, conditional on their having met attendance and progress requirements, ability to continue classes and not having attained "functional English".[36]

ACTA welcomes these additional entitlements. However, they are, in fact, severely constrained by being capped, that is, they must be funded out of providers' existing allocations. In other words, AMEP Extend can be made available only by savings on other parts of their program.

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[35] For details of what can and should be achieved in youth programs supported by SPP400 funding, see section 4.4 in the above submission, p. 135ff.

[36] Adult Migrant English Program Service Provider Instructions 2017-2020, Attachment B, para. 6.10. **Re 'functional English'**: prior to the current contract, "functional English" was determined as achieving ISLPR Level 2 or satisfactorily completing CSWE Certificate 3. Under this contract, it is now determined as achieving all ACSF Level 3 indicators. These are higher and also more complex (requiring assessment in 8 different skill areas) compared to CSWE 3. A possibly unintended consequence of mandating the ACSF is that it has extended eligibility for the AMEP to those with higher English proficiency levels. This extension should be taken into account in assessing participation rates – see the section on targeted tuition streams above.

AMEP Extend responds to criticism of the AMEP since 1992, when the 510 hour entitlement was established. As already mentioned (section 2), these hours are insufficient for low proficiency learners, especially those with minimal/no previous schooling, to achieve "functional English".[37] The 510 hour limit had *no* evidential basis in administrative or research terms.[38] Its "one-size-fits-all" assumption took no account of the factors contributing to speed and success in learning another language, notably: previous education, age, experience of trauma, and the imperatives for newcomers to find work and meet family responsibilities.[39]

AMEP Extend is, in fact, a measure designed to assist those adult migrants with less than "functional English" who do not qualify for the SEE Program. **It provides clear evidence of the dysfunctional SEE Program eligibility requirements and, as we have argued, the overall lack of clarity in the goals of both Programs.**

ACTA is puzzled that the Evaluation has not been asked to consider yet another extension of tuition hours that was described in the draft Request for Tender, namely, the **SLPET (Settlement Language Pathways to Employment and Training)**. This facet of the AMEP offers 120-140 hours of additional English tuition and 40-80 hours of work experience placement for those in the pre-employment stream who are close to completing their 510 hours and achieving "functional English" and who meet various criteria regarding attendance, motivation and a commitment to accept employment on completion of their SLPET hours. **ACTA regards the last requirement as totally unacceptable because it can force those exiting the Program into unsuitable employment and prevent them from pursuing further training and education.**

ACTA's criticism of AMEP Extend also applies to the SLPET: **they are both stop-gap measures to overcome the eligibility restrictions placed on accessing the SEE Program.** A related overlap and inconsistency was identified in the ACIL Allen Review observation that "the work experience component of the AMEP has a higher rate of participation [9 per cent] than the SEE programme [4 per cent], even though the SEE programme is designed to have a more direct impact on participant employability and transitions into jobs" (p. 22).

For ACTA's recommendations relating to AMEP Extend (and the SLPET), please see Recommendations 2-7 above.

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[37] This failure was documented as early as the May 2003 DIMIA *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants*, pp. 261 ff. According to the 2015 ACIL Allen Review, only 7 per cent of AMEP clients completed their entitlement at "functional English" level and over a quarter of clients left well below: https://docs.education.gov.au/system/files/doc/other/amep_evaluation_report_-_for_public_release.pdf Key Finding 18, p.66. Most recently, it is reported in numerous submissions to the 2017 *Inquiry into Migrant Settlement Outcomes*: see Recommendations 4 and 5: https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Report

[38] The determination of 510 hours bore no relation to research into second/other language learning. It was based on questionable data from the data management system (known as ARMS) before it had become properly operational. These data were claimed as showing the average time clients took to reach "transactional proficiency" on the International Proficiency Rating Scale (ISLPR). However, these data could not support any such conclusion. They included clients who had been in the AMEP from anywhere between 1 day and 5 years; there was no control for initial English levels and level of education; and client names had been entered more than once. As a Immigration official who was involved in this determination said in interview, *"The 10 on the end sounded really quite scientific. 500 would have looked just a bit too neat. That was the thing. Marvellous."* p. 112. In Moore, H. (2001). Although it wasn't broken, it certainly was fixed: Interventions in the Adult Migrant English Program 1991-1996. In J. Lo Bianco & R Wickert (eds.) *Australian Policy Activism,* Language Australia Pty Ltd, pp. 93-120.

[39] For a summary of research into the time required to learn English as a second/additional language, see section 2.3 (p. 34 ff.) ACTA submission 108 to the 2017 *Inquiry into Migrant Settlement Outcomes*: https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Submissions

6. Assessment – use of the Australian Core Skills Framework (ACSF) as a benchmark and to align the AMEP and SEE Program *(requirements 1e and 4)*

The 2017-2020 AMEP contract mandated that the ACSF should replace:

1) the International Second Language Proficiency Ratings (ISLPR) scale in initially determining **AMEP entitlements** and **placement in classes** at appropriate English language levels
2) the Certificates in Spoken & Written English (CSWE) as the means of assessing **learner progress/outcomes, on-going entitlements** and **exit levels**.

6.1 The stated rationale for mandating the ACSF

The reasons for this change were described by DET as follows:

> The 2015 ACIL Allen evaluation of the SEE program recommended maintaining the use of the Australian Core Skills Framework (ACSF). The evaluation also recommended that the Government consider adopting the ACSF in AMEP to facilitate greater [sic] pathways between the AMEP and other training programs and the tertiary education sector more broadly. AMEP adopted the use of the ACSF from July 2017.[40]

> The ACSF was introduced to the AMEP in 2017 to provide a common framework for measuring client progress across multiple teaching curricula and to provide visibility of client progression in the program. Under previous AMEP contracts the International Second Language Proficiency Rating (ISLPR) framework was used to place a student in the program but it could not be used to track language acquisition throughout students' participation in the program. By contrast, the ACSF identifies and describes language level for placement in a language and literacy program, progression throughout the program and proficiency at exit. The ACSF, created in 2008, is a well-established national framework and since 2011, it has been used in a similar Australian Government funded program, the Skills for Education and Employment (SEE) program.[41]

The Department also stated that:

> The ACSF is a tool for measuring language proficiency; it is not a curriculum.[42]

> The ACSF is the most commonly used assessment tool in the Vocational Education and Training (VET) sector, including the SEE Program. The use of a common benchmarking tool strengthens client pathways between VET providers and programs, especially given that all but one AMEP provider is also a SEE Provider.[43]

In a letter to ACTA President Dr Michael Michell, the then-Assistant Minister for Vocational Education & Skills, the Hon. Karen Andrews, stated:

> *Use of the ACSF was incorporated into the AMEP's new business model because it provides a framework for assessing clients' English proficiency across multiple curricula and training packages and further aligns AMEP with SEE and other vocational education and training programs….The previously used and validated International Second Language Proficiency Rating Scale is a placement tool and does not assess progression of students.* (MC18-002892, 27/07/19)

These statements contain a confused mix of misinformation and misunderstandings. In summary:

1) ACIL Allen did *not* recommend adopting using the ACSF as an assessment tool.
2) The ACSF is *not* a "tool for measuring language proficiency".

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[40] Dept. of Education & Training SQ18-000619, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.
[41] Dept. of Education & Training SQ18-000613, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.
[42] Dept. of Education & Training SQ18-000649, Senator Sarah Hanson-Young 20 June 2018, Budget Estimates 2018-2019.
[43] Dept. of Education & Training SQ18-000612, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.

3) The ISLPR *can* assess progress in English language learning.
4) The evidence has yet to be produced that use of the ACSF in the AMEP (or SEE Program) facilitates learner pathways into the wider VET sector or employment.

Specifically, in regard to the Evaluation *Statement of Requirements*:

5) **the ACSF is not appropriate, effective and practical** in assessing AMEP client eligibility or determining placement in classes, progress and exit levels;
6) **the ACSF does not yield valid or reliable data** to support any kind of accountability benchmark;
7) the assessment tools that the ACSF has replaced (viz. the ISLPR and the CSWE) were specifically developed for AMEP purposes and are vastly **more appropriate, effective and practical;**
8) use of the ACSF to align the AMEP with the SEE Program has served no purpose other than **streamlining compliance requirements;**
9) however, mandating the ACSF has:
   o substantively increased teacher and manager **workloads**
   o **deflected the AMEP from its role** in assisting migrant settlement through English language learning, and
   o **redirected curriculum away** from meeting the needs of English language learners.

The following sections elaborate on these points.

6.2 The ACIL Allen recommendation

The ACIL Allen Review recommendation referred to by the Department above is as follows:

> **Recommendation 6:** Building on the recent research mapping the ACSF to the ISLPR and the CSWE curriculum framework, the Australian Government should consider formally adopting **the mapping framework** to facilitate greater [sic] pathways between the AMEP and other training programmes, and the tertiary education sector more broadly. Similarly, the Australian Government should consider the extent to which other Training Package units which are already mapped to the ACSF could be used alongside the CSWE curriculum framework.[44] (our emphasis)

Prior to making this recommendation, ACIL Allen say:

> It is understood that the Department has commissioned a consortium of national experts to undertake formal mapping of the ACSF to the ISLPR and the CSWE curriculum framework. Subject to the outcomes of this research, consideration should be given to **formally adopting the mapping framework** to facilitate greater continuity between the instruments and benchmarks used in the AMEP with other training programmes and the tertiary education sector more broadly.[45] (our emphasis)

The recommendation and its preceding paragraph are unclear and raise several questions. Given that the Department has repeatedly justified the switch to the ACSF with reference to this recommendation, these questions are not insignificant. They are:

1) What was the *"recent research"*?
2) Was it the same research as the commissioned *"formal mapping"* by the *"consortium of experts"* or did further research follow?

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[44] https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf p. 26
[45] ibid.

3) Who were the *"consortium of national experts"* and did they include recognised assessment experts?
4) What were *"the outcomes of this research"*? Are they in the public domain?
5) What is *"the mapping framework"* referred to in Recommendation 6?

The answers to the first and last question are that the "recent research" appears to be the mapping shown in Table 3 in ACIL Allen's Appendix A and reprinted in Appendix A to this submission. **This table shows equivalences between ACSF Levels and various other assessment systems/tools, including the CSWE and the ISLPR.**[46]

As ACIL Allen propose, further development of this sketch framework could show how specific VET training packages could be used within or alongside AMEP tuition. So for example, if the level required for enrolment in a given aged care unit was specified in terms of **any** of the systems included in the framework, equivalent levels on the ISLPR or the CSWE can be determined. That aged care unit could then be offered as **a concurrent addition to AMEP tuition** to students at the required ISLPR and CSWE level. Including such modules alongside AMEP tuition would be an excellent means of placing learners on the first step of a pathway into mainstream training and education.

Research seven years prior to the ACIL Allen review documented that this combination of AMEP tuition and vocational training was offered by two AMEP providers in Victoria (now Melbourne Polytechnic and AMES Australia).[47] ACTA has no information as to whether this initiative has continued under the current contract.[48] We suggest that the Evaluation consultants might investigate whether this model has continued and/or has been developed elsewhere. If so, the extent of the ACSF's role in such developments is questionable. It certainly played no role in those early initiatives. Current evidence is that the ACSF has no effect or may make it more difficult (see section 6.5).

The Department's statements cited in 6.1 above appear to interpret the "mapping framework" to be the ACSF itself. However, although the ACSF describes itself as a "framework", it is clearly not a *mapping* framework (see 5.2 below). Rather, as was illustrated by the ACIL Allen Appendix A, equivalences can be mapped between ACSF levels and levels in other assessment systems.

If the expert consortium that further developed the framework in the ACIL Allen Appendix A included assessment experts, and if they assisted the Department in their considerations, ACTA cannot comprehend how the current AMEP contracts could have so profoundly misunderstood ACIL Allen Recommendation 6. **ACIL Allen recommend further development of the mapping framework in their Appendix A. They did *not* recommend that the AMEP switch to using the ACSF as an assessment system.**

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[46] .https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf Appendix A, pp. A1 & A2. The other systems mapped here are: the International Second Language Proficiency Rating Scale (ISLPR), the Test of English as a Foreign Language (TOEFL), the Canadian Language Benchmarks, and the Certificate in General Education for Adults (CGEA).

[47] Moore, H, H Nicholas & J Deblaquiere (2008) 'Opening the Door': Provision for Refugee Youth with Minimal/No Schooling in the Adult Migrant English Program Project 21: 'Modes of Delivery for SPP Youth' Sydney, Macquarie University: AMEP Research Centre, p 42. http://wwwameprcmqeduau/docs/research_reports/research_report_series/Opening_the_doorpdf See especially Chapter 10, p. 83ff.

[48] Given that AMES Australia lost its AMEP contract in Melbourne in 2017, their work in this space has probably discontinued. The LWA report to DET on curriculum and qualifications states that the CSWE "allows for the importation of units of competency from other training packages, i.e. FSK or Business at CSWE IV-Employment" *AMEP Curricula and Teacher and Assessor Qualifications Guide*. Dept. of Education & Training SQ18-000100, Senator Doug Cameron Question on Notice, Supplementary Budget Estimates 2018-2019., p. 27.

Changing the assessment *system* that is used in a tuition program is a huge undertaking. It requires trialling and establishing new procedures and protocols for recording results, and reskilling teachers to use these. If these results are to constitute data for benchmarking, appropriate tasks must be developed, standardised and regularly moderated. Both the ISLPR and the CSWE were developed through this kind of process, which was iterative and included on-going work by highly regarded assessment experts.[49] Work on task and professional development was supported for many years by the now-defunct AMEP Research Centre.[50]

The ACSF was mandated for use as a new assessment system in the July 2017 AMEP contracts with *none* of these things in place. In fact, most of this work has yet to occur. As we document below, this change was and remains massively disruptive to the Program.

The depth of this profound and deplorable confusion is exemplified in the statement cited above that *"the ACSF is a tool for measuring language proficiency; it is not a curriculum"*, as we now elaborate.

6.3 The ACSF as "a tool for measuring language proficiency"

The ACSF is not a tool that can *measure* anything. Further, the ACSF does not and cannot measure *English language proficiency*.

As its name denotes, the ACSF is a "framework". It is not (and does not claim to be) a framework that "maps" different assessment systems to each other, such as in the ACIL Allen Appendix A. According to the ACSF Introduction:

> The ACSF has been broadly based on the National Reporting System (NRS), a mechanism for reporting outcomes of adult English LLN provision (Coates et al, 1995). However, while the NRS was primarily designed as a reporting tool, the ACSF has been designed as **a generic framework** with applications in a wider range of contexts. (p. 3; our emphasis)

The uses of this framework are described as follows:

> Following mapping of course requirements and materials, and identification of learner strengths and weaknesses, the ACSF can be used to:
> - tailor curriculum, materials and methodologies to learner needs
> - design and rate core skills assessment instruments
> - evaluate the potential usefulness of assessment tasks by identifying the ACSF levels and Performance Features being assessed
> - develop self evaluation tools which increase learner engagement and ownership
> - assist teachers/trainers to provide specific feedback on performance. (p. 2)[51]

In other words, the ACSF claims to be **a set of reference points** from which assessment tools (and curriculum) can be developed. The AMEP progress benchmark is based on reports of students' achievement in relation to **"indicators"**, which are described as follows:

> Indicators are statements that briefly describe performance at each level of the five core skills. There are 11 Indicators; two each for Learning, Reading, Writing and Oral Communication and three for Numeracy.[52]

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[49] See, for example: http://www.ameprc.mq.edu.au/docs/research_reports/research_series/Research_Series_II_V2.pdf
   http://www.ameprc.mq.edu.au/docs/research_reports/research_series/Research_Series_11.pdf
[50] http://www.ameprc.mq.edu.au/home
[51] *Australian Core Skills Framework* Commonwealth of Australia 2012, p. 2.

Using the ACSF as the basis for an **assessment tool** requires, as its Introduction says, *designing and rating [core skills] assessment instruments* using the indicators as starting points for test/task specifications. Such a project would be highly technical and include (but go beyond) what is described above in relation to the development of the CSWE and the ISLPR.[53]

Assessment tools must meet at least two universally recognised criteria: **validity** and **reliability**.[54] *Validity* means that the tool must measure **what it claims to measure**. *Reliability* means that the tool must measure **the same thing whenever it is used**, for example if two assessors assess the same person's proficiency using that assessment tool (at approximately the same time and under the same circumstances) they will get the same results.

6.3.1 The ACSF: is it reliable? Implications for its role as the basis for a KPI

Since July 2017, the AMEP Quality Assurance provider has run professional development workshops to train teachers in using the ACSF and also managed other work to adapt the previous CSWE task bank to develop ACSF assessment tasks based on the ACSF indicators.[55] ACSF workshops are estimated to cost more than three-quarters of a million dollars over three years. [56] The Department described this work as follows:

> LWA, a Registered Training Organisation, is contracted to manage the ATB[57] and is supported by the AMEP National Working Group to produce high-quality assessment tasks for assessment in the AMEP.[58]

Providers and teachers across Australia have also devised and used their own tasks based on the indicators.

The fact that task development is in process and that teachers are designing their own tasks means that *no* **semblance of consistency or reliability can exist in the ACSF tasks currently in use**. As reported by two ACTA survey respondents:

> ∗ *Mapping the CSWE curriculum to the ACSF was done over a long period of time and was done in dribs and drabs. Trainers were trying to learn this at the same time as teaching, assessing and new admin tasks were being piled on. It was almost one year before any PD was given regarding using the ACSF and even then, it was one day.*
>
> ∗ *I had a little bit of training but it was so inadequate. No glossary of terms. No examples. No manuals. No bank of material and no file path. A hopeless situation.*

This lack of consistency would be of little consequence if results reported on these tasks were not the basis of benchmarks for AMEP client eligibility, progress requirements and provider performance. One respondent who was experienced in using the ACSF (and its predecessor) described the problem in relation to benchmarking as follows:

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[52] *Australian Core Skills Framework* Commonwealth of Australia 2012, p. 10.
[53] See for example: https://www.iltaonline.com/page/ITLAGuidelinesforPra
[54] https://www.wonderlic.com/blog/validity-and-reliability/ ; http://www.proftesting.com/test_topics/pdfs/test_quality.pdf ; https://www.hr-guide.com/Testing_and_Assessment/Reliability_and_Validity.htm
[55] http://www.ameprc.mq.edu.au/docs/prospect_journal/volume_24_no_1/HargeavesandMoore.pdf
[56] The total cost of ACSF workshops over 3 years is estimated to be $799,530. Dept. of Education & Training SQ18-000613, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.
[57] ATB = Assessment Task Bank i.e. the CSWE task bank.
[58] Dept. of Education & Training SQ18-000613, Senator Doug Cameron provided in writing, Question on Notice, Budget Estimates 2018-2019.

When I first started teaching at TAFE, I used the National Reporting System. When the ACSF was introduced, I went to the initial PD sessions but by default I ended up being timetabled on AMEP classes. Then with the new AMEP contract, I was suddenly placed with having to use the ACSF. The PD I have received over the years have been piecemeal and of little substance. There is a lot of the blind leading the blind. From my reading of the ACSF document, use of it and by my observations, I find this to be a very, valid tool in so many ways. Both the AMEP and SEE are now meant to use ACSF indicators to place students into classes but initial assessors vary significantly in how they 'subjectively' assess students, resulting in students gaining higher or lower indicators and are poorly placed. Teachers are then meant to show progression by getting students through at least one ACSF indicator per 200 hours. However, where is the VALIDITY in this form of assessing? There is far too much subjectivity involved. The so-called verification process is supposed to be able to help ensure there is validity and reliability of assessment tools and use of them, but this is not happening. It is far too easy to exploit. The ACSF may appear on paper as something of value to measure KPIs and to justify continual funding. However, the amount of money, time and effort to keep this program going has come at the cost of creating and implementing an excellent TESOL curriculum with appropriate course material and assessment for the AMEP and SEE.

The linking of progress results to KPIs creates perverse incentives to game the system, which creates even more inconsistency. Teachers are reporting that students are assessed at the lowest possible level in order for them to be able to show progress. The ACSF allows for support to be offered to students in undertaking assessment tasks, a feature that inherently creates inconsistencies. This support ranges from writing answers on the board to coaching on the task, as described in a report to ACTA as follows:

* *The so-called testing must show progression, so we often see ourselves supplying answers (or "giving support") which is totally unethical as well as being self-serving and time-wasting.*
* *Because of a need to gather ACSF evidence to meet the indicators and performance features, it is essential to have contrived assessment practices. It is essential that when doing an assessment you want to claim indicators for, that everyone pass and everyone be coached thru the answers. If one didn't do this, you would never have enough evidence.*

The complexity of the ACSF is also an incentive to manufacture data as the basis for reports, as described here:

* *Evidence gathering for the oral communication learning area (speaking: .07) is particularly painstaking and problematic. Teachers are required to record and then transcribe their conversations with each learner, so that parts of these conversations can be used as evidence for a range of performance features. As an example, at 3.07 level (for students studying in CSWE 3), there are 14 performance features requiring specific evidence, that is, words, phrases and sentences containing a variety of linguistic features from the conversation, including notes on nonverbal feedback. Such evidence gathering is impossible with a classroom of 15-20 students. So teachers have reported that they resort to writing up whole or parts of conversations that actually didn't take place, just to be able to provide evidence. This 'evidence' is a fiction. Also, manufacturing of evidence often happens because, having done the hard work of transcribing, the teacher may discover that the learner has not in fact met 80% of the performance features, perhaps because they didn't use any idioms in their conversation, so they cannot meet that indicator. So the teacher cannot use <u>any</u> of that transcription for reporting unless they invent something. Because there is no time to collect and transcribe more evidence, the teacher may decide to invent evidence, even if it is just for one or two performance indicators. So the teacher writes that the learner said, for example, 'I was flat out last weekend', even if he/she didn't say that, just to tick the box for 'uses some common idioms'.*

ACTA understands that teachers have now been issued with a template that has reduced the complexity of reporting. However, comments in the ACTA survey (conducted in December 2018-January 2019) included:

* *I have been advised by teachers to simply write answers to ACSF tasks on board and have students copy answers, as the tasks are unrelated to what students have been learning.*

* *Given that students can receive a great level of support to achieve the indicators, it can make the assessment tools meaningless.*

* *For lower levels, the ACSF is more confusing than explaining the curriculum to the students, and the possibility of support means that teachers are left wondering how much did a student really do on their own.*

* *I cheated as much as I could possibly get away with.*

* *We answer all together to save time and ensure all students meet indicators.*

* *Individual assessments in particular usually have nothing to do with what you are teaching and are a complete disruption to the students' learning. They do not prove anything as they are "supported" in the assessment and often helped to "fill in every gap"!*

Teacher cynicism is itself undermining the reliability of data from ACSF-based reports, as illustrated in the following comments:

* *At times I feel remorse that I have to develop contrived evidence gathering. Fudging lab reports at Uni doesn't come close.*

* *The new system is a licence to cheat.*

With considerable effort and money, and by decoupling assessment results from KPIs, it might be possible to overcome the inconsistencies in administering and reporting results using the ACSF. However, a problem that cannot be remedied – and that also contributes to its unreliability in the AMEP (and SEE Program) – is the ACSF's lack of validity as the basis for reporting on learning English as a second/additional language, which we now consider.

6.3.2 The ACSF: is it a valid tool for assessing English language proficiency and progress?

Despite the developers' efforts to incorporate English language learning dimensions in the ACSF, especially at its lower levels, the indicators are frequently:

* **insufficiently specific** to identify starting points and pathways in learning English[59]
* **inappropriate** for English language learners[60]

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[59] For example, the following is an indicator describing the **Preliminary Level**:
  "Shows some recognition of basic structures" (PL1B).
At **Level 1**, the related indicator is:
  "Uses basic structures and limited verb tenses".
It is impossible to determine what might count as evidence for one Level rather than the other, so the difference between these two Levels cannot be clearly or consistently distinguished. Similarly, in regard to pronunciation, the Level 1 indictor is too general to assess accurately and reliably:
  "Produces utterances which may feature variations in pronunciation, stress patterns and intonation, possibly requiring verification".

[60] Examples of indicators that are inappropriate in assessing learning English:
(1) Level 1 writing indicator relates to Legibility:
  "Writes mostly legible script. May prefer to print rather than write in cursive script, with lack of consistency likely between printed and cursive letters, and upper and lower case."
This indicator is inappropriate for beginner learners of English. It assumes they are English native speakers. Teaching and assessing learners against this criterion distracts teachers from learning which should be much higher priority at this Level.

- **unnecessarily complex** for the task at hand[61]
- **impossible** to determine objectively and accurately.[62]

Early in 2018, the AMEP National Working Group brought these issues to the Department's attention: see Appendix B. These issues have not been and cannot be addressed in any substantive way. Attempting such a task would entail considerable expense and almost certainly no worthwhile advance on the assessment tools used previously in the AMEP.

The ACTA survey (undertaken in November 2018 – January 2019) included a question relating to the ACSF's validity in regard to learner starting points and progress, and whether the information was useful for teachers and learners (a feature known as "consequential validity"). The responses shown in Table 3 below reveal seriously divided opinions: 35% of responses rated the ACSF overall as providing valid or somewhat valid information, while 49% questioned its validity. **Such division is no basis for an assessment tool that underpins a KPI.**

Table 3: Respondents' views on the ACSF's suitability for assessing English language learning

Evaluation	Very suitable		Somewhat suitable		Neither suitable nor unsuitable		Somewhat unsuitable		Very unsuitable		TOTAL RESPONSES
	no.	%	no.	%	no.	%	no.	%	no.	%	
Provides teachers with an accurate & clear picture of a learner's starting point & progress in learning English	37	14.68	66	26.19	28	11.11	49	19.44	72	28.57	**252**[63]
Provides teachers with useful information for targeting teaching to meet learner's English needs	36	14.29	65	25.79	35	13.89	36	14.29	80	31.75	**252**
Provides students with useful & motivating information to improve their English	21	8.33	41	16.27	50	19.84	42	16.76	98	38.89	**252**
Total Responses	**94**	12%	**172**	23%	**113**	15%	**127**	16%	**250**	33%	**756**

Professional development (PD) workshops do not appear to have assisted in boosting teachers' confidence in the ACSF.[64] As shown in Table 4, satisfaction with the ACSF increased after PD for

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(2) The initial assessment requires learners who are newly arrived in Australia to give evidence of culturally specific knowledge, for example: "predicting what something will be about", identifying and labelling "text types", and being able to identify obstacles to their two-step plan for further education in Australian institutions.

(3) Some indicators require the learner to *explain* their reading processes, which they cannot do in English.

The ACSF Introductory section on Theoretical Underpinnings refers to mother tongue literacy and adult learning theories, and makes no reference to research into second language learning https://www.education.gov.au/download-acsf p. 4.

[61] The ACSF Framework describes five "core skills across three interactive dimensions". The Interactive dimensions are: Levels of Performance, Performance Variables (support, context, text complexity, task complexity), and Domains of Communication (personal & community, workplace & employment, education & training". The 5 Performance Levels are described using: Indicators, Focus Areas, Performance Features and Sample Activities. https://www.education.gov.au/download-acsf p. 5..

[62] For example, some ACSF indicators are impossible to apply because they focus on underlying cognitive processes. They require the assessor to infer these, which is unreliable and open to different and conflicting judgements. An example from the ACTA survey data was as follows:

At a PD session run by LWA, they introduced a term - "non-continuous text". None of the 100- plus lecturers present had ever heard of it, but LWA stressed its importance. I stood up and asked them to define/clarify it - I was rebuffed with the contemptible and contemptuous answer: "It's implicit." This meant that the woman herself didn't know but was unwilling to admit the fact; it is not insignificant that she is one of the people who bought the whole thing from Linda Wyse [I can't remember her name - I only remember her appalling attitude].

[63] The reason for different totals in this and subsequent Tables are that (i) a given question did not apply to a certain respondent (e.g. a SEE only teacher, a volunteer), (ii) the respondent chose not to answer or (iii) did not complete the survey.

[64] 24 ACSF training workshops per annum will be offered during the current contract (2017-20) at a total cost of $799,530. Dept. of Education & Training SQ18-000613, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.

29% of respondents, had no effect for a further 29%, and actually increased the dissatisfaction of 38%.

Table 4: Effect of professional development on satisfaction with the ACSF[65]

Effect	No.	%
Increased my satisfaction with the ACSF	86	28.86%
No effect	85	28.52%
Increased/caused my dissatisfaction with the ACSF	112	37.58%
N/A: I've had no PD	15	5.03%
TOTAL	**298**	**100**

The increase in dissatisfaction was summed up by one teacher as follows:

> *The more we discuss it, the more dissatisfied I am.*

Improved understanding of the ACSF did not necessarily convince the following teacher that it was an improvement:

> *I have a better understanding of the ACSF as a result of PD, but I couldn't say that it has convinced me why it is better than ISLPR for initial assessment of students for placement in our program, or how it improves teaching of English to CALD clients.*

Specific reasons respondents gave for the ACFS's lack of validity were:

(i) vagueness in relation to key features of progress in learning English:

* *Every single teacher I have talked to hates the ASCF with a vengeance as it is so vague and each teacher can interpret in their own way. What are basic tenses? What is the vocabulary that distinguishes the levels? Why do I feel that .03 and .05 are not testing students' proficiency but are testing the tests themselves? The ACSF is bizarre, ambiguous, nonsensical and unlike any textbooks or curriculum I've ever encountered in my whole life as a language learner myself (for 10 years studying the language intensively) and then as a teacher of the language for 16 years now. I am a practitioner, not a researcher; therefore I am not equipped with the skills to support my claims with solid evidence. However, I can state that there is something seriously wrong with the Framework, and when it is a unanimous opinion it is to be reckoned with.*

* *One example which best shows the inadequacy of the ACSF is their mention of prepositions: ACSF mentions them 4 times, (repeated twice for total 8) [Level] 2.03 Comprehends texts incorporating adjectives, pronouns and prepositions. [Level] 2.06 2.07 2.08 Uses (follows) adjectives, pronouns and prepositions to describe people, places, things and events. CEFR, ISLPR and standard grammar teaching for ESL all recognise and separate prepositions into levels of difficulty. Which language acquisition experts or academics have looked at the ACSF in the light of ESL?*

* *I find the ACSF is a good tool for initial assessments; however, useless when it comes to progressives. It helps the teacher target initially, but not as the student improves.*

* *This is a tricky question. Initially, I embraced the change as a way to help my beginner students' progress to be recognized (as compared to CPSWE[66]). But after a year of using the ACSF for progressive assessments, I have found it to be totally inappropriate in measuring progress.*

(ii) unsuitability for use in a classroom situation (as distinct from individually)

∗ *In my opinion, the ACSF is not suitable for clients with non-English speaking backgrounds who learn English as their main goal. Its indicators cover a wide range of performance features which students cannot perform in the assessment tasks. The more we learn about ACSF, the more I wish we could stop using it and focus on a curriculum. How can we "tailor to individual needs" when we have a group of multi-level students with spikey profiles and start at different times? with 1 trainer to 20 students? Many of them are illiterate, and cannot even write the words on a straight line. Another big lie! Sorry!*

∗ *The ACSF was designed for the workplace and for one-on-one (teacher and learner) teaching. This has been transferred to the classroom, so now the teacher has to juggle whole class teaching and individual teaching/assessment. It is onerous. I have had up to 4 groups in a classroom doing ACSF tasks as their assessment tasks were due. This is not uncommon.*

(iii) learning mother tongue literacy confused with learning English

∗ *ACSF is a literacy framework and it is NOT suitable for teaching and assessing a language to ESL learners.*

∗ *ACSF is suited to language and literacy skills in general, not the language and literacy skills of English learners. It is a very basic pedagogical difference.*

(iv) unsuitable assumptions for a settlement program

∗ *I've become familiar with the ACSF and competent with using it for initial assessments but I don't think it is an appropriate framework for students seeking to learn English as an additional language as it is so culturally based - presuming exposure to western industrial schooling systems.*

∗ *Specifically it [= the ACSF] contains elements in relation to learning strategies that are culturally specific and not necessarily at true reflection of the learners capacity.*

∗ *Whoever decided that this is a suitable assessment framework for the AMEP has not had enough experience dealing with the settlement and language needs of newly arrived migrants.*

∗ *The ACSF is old. It was originally designed for individual assessment for people in the workplace to decide what level of literacy and numeracy they have and to determine what course they need to do to upgrade their skills etc. It doesn't assess students' understanding of intercultural nuances. It fails to identify what students don't know and need to learn. The ACSF is like NAPLAN and forces teachers to just prepare for that test so students pass and the KPI is passed so that the provider gets their funding. Benchmarking students to a particular test written by a particular cohort of professionals such as the ACSF assessments as at the entrance to the AMEP needs reviewing. What are the gender, ethnic, geographic and class biases represented in these assessments? Is it a world class recognised benchmark? Students get far different results on the ACSF entrance test versus the BKSB. So which is the real benchmark for students' performance? Both are based on granting funding to students.*

An example given in one of the ACTA forums was the question used in entry/placement assessments "Do you have any hobbies?" (answers to which must be documented), which is hardly appropriate for people just arrived from a refugee camp.

(v) irrelevance to learning English

∗ *My students are at Prelim level and would have no idea of what I am trying to achieve when testing them for ACSF gains. It is not used in our centre as a guide for assessing their English. It is really the CSWE assessments that are used for this. The ACSF indicators are just another administrative job we have to perform every so many hours to be accountable to auditors etc.*

∗ *The ACSF appears overly complex and difficult to navigate. It is a theoretical construct of language which is ultimately abstract and unhelpful as a diagnostic tool for the practical application of assessing the language level of English learners.*

The Notes from the discussion at **the Sydney forum** bear out these same concerns:

Assessment tools continue to assume language/cultural knowledge that AMEP students do not have, being newly arrived migrants in Australia, e.g. use of Medicare Card in the entry assessment; other examples can be provided. The ACSF is irrelevant to the AMEP because it's an LLN [= language, literacy & numeracy] framework. It's a mismatch. It is the wrong tool to be measuring student progress in an English language acquisition program such as the AMEP.

Students' literacy in L1 is an issue. If low literacy, they need to build higher levels of spoken English to achieve the literacy outcomes, e.g. low proficiency students shouldn't be expected to name the genre, purpose, intended audience and level of formality of a text. Sometimes teachers can't do this accurately! The old CSWE did not require students to answer these types of questions, e.g. "mode" (LO1).

The ACSF doesn't reflect learner progress because only one indicator is assessed at a time but students are developing in all skills at the same time. ACSF levels do not capture the small language gains that clients make as they progress through their 510 hours. ACSF levels of clients at the end of the 510 hrs are not necessarily a true reflection of clients' levels across all macro skills. To what extent can any assessment scale capture students' progress in language acquisition and proficiency in the time available?

The ACSF is not an English language framework. Unlike the ISLPR, it cannot differentiate between learners with high level L1 literacy & numeracy skills and those who are learning literacy.

It is difficult to capture learner progress because of the different linguistic backgrounds that influence their English language development.

The interpretation by QA auditors of ACSF indicators is arbitrary and inconsistent. This makes it problematic to have consistent tasks. The way we conduct assessments is determined by the QA provider's interpretation of the ACSF. The reliability of assessments is questionable. Appealing against audits is lengthy.

The disregard of the client journey and background in both the ACSF and the auditing process is detrimental to the Program. The point of the ACSF is compliance rather than helping newly arrived migrants.

Although there is disagreement among teachers about the validity of the ACSF, it is indisputably not a "tool for measuring [English] language proficiency". The various and sometimes *ad hoc* tools derived from ACSF indicators are insufficiently robust to support a benchmark for determining entry to or progress in learning English (or literacy). This observation applies equally to use of the ACSF in the AMEP and SEE Program.[67]

6.4 The ISLPR

The "new business model" rests, in part, on a misguided interpretation of the ACIL Allen Review and a complete under-estimation of the disruption entailed in mandating a new assessment system for an educational program. The attempt to justify these failures has generated misleading and incorrect statements (quoted in section 6.1), not only about the ACSF as just demonstrated, but also about the ISLPR, which was previously used to determine client eligibility.

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[67] For a critique of ACSF use in the SEE Program, see http://www.tesol.org.au/files/files/468_ACTA_2014_Anh_Le.pdf

The Department and then-Minister have stated that the ISLPR *"does not assess progression of students"* and *"cannot be used to track language acquisition throughout students' participation in the program"*. In fact, the ISLPR was developed in 1978 for the AMEP for precisely these purposes.[68] The scale has been progressively refined over subsequent years as a result of field trialling by the authors and their colleagues, and feedback from language professionals in the AMEP during and after their training.[69]

As its name indicates, the ISLPR is specifically designed to assess proficiency in a second (or other additional) language. Put simply (and leaving aside various technical disputes), *"proficiency"* refers to a *general* facility in a language, as distinct from *achievement* on the specific content of a given course of study (as occurs, for example, in the CSWE). The ISLPR's particular advantage in assessing adult migrants in the AMEP is that it is focussed on everyday English use. Unlike the IELTS test, for example, it is not directed to assessing entry to study or employment, at least at its lower levels.[70]

Rating a learner on the ISLPR does not involve a standardised pencil-and-paper test. The validity and reliability of the system rest on assessment by language professionals who have been trained to assess learners' language performance against the scale descriptors, using tasks that mirror real-life English use as closely as possible. Periodic refresher training and verification, and commonly shared, well-established understandings among assessors and teachers are important in ensuring validity and reliability.

The ACSF indicators are loosely similar in appearance to the ISLPR's descriptors. Like the ISLPR, the ACSF is not administered through paper and pencil tests but by individual assessors. The difference between the two lies, roughly speaking, in:

- their validity in assessing English language learning,
- the type of work that has gone into developing and refining their validity and reliability, including
- the training, refresher training and verification that attaches to their use.

Within the AMEP, the ISLPR was criticised as being insufficiently sensitive (i.e. detailed) to register movement on the scale within the 510 hour tuition entitlement, especially for those with minimum/no previous schooling. It certainly failed to show that many low proficiency learners had achieved the benchmark "functional English". This problem was not the fault of the ISLPR but stemmed from the time available. Over an appropriate time frame, the ISLPR is perfectly capable of assessing progress in learning English as a second/additional language.

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[68] The first iteration was called the Australian Second Language Proficiency Rating scale (ASLPR). The scale was commissioned for development by the then-Joint States-Commonwealth Committee on the Adult Migrant Education Program. Brindley, Geoff (2000) Assessment in the Adult Migrant English Program. In Geoff Brindley (ed.). *Studies in Immigrant Language Assessment*, vol. 1. National Centre for English Language Teaching and Research Macquarie University Sydney. http://www.ameprc.mq.edu.au/docs/research_reports/research_series/Research_Series_11.pdf p.10 www.islpr.org For an overview of ISLPR levels, go to: http://www.cmd.act.gov.au/__data/assets/pdf_file/0007/801772/2.-Handout-ISLPR.pdf. 0ther versions of the Scale focussing on different learners and more advanced English skills (e.g. for overseas-trained teachers seeking registration have since been created.

[69] For a detailed account of the development and trialling of the ISLP, see Wylie, Elaine (2013) An Overview of the ISLPR® (International Second Language Proficiency Ratings), unpublished paper, available from the author at e.wylie@islprtestertrainers.org

[70] Our account skips over various other issues regarding the ISLPR, notably that it assesses general proficiency in English, not specific achievements in a given course of study. Some language testing experts have also criticised the ISLPR. These issues need not concern the current Evaluation,. For background on assessment in the AMEP, see: http://www.ameprc.mq.edu.au/docs/research_reports/research_series/Research_Series_11.pdf

The ISLPR was discontinued from use in assessing learner progress in 1992, when the CSWE was developed and subsequently mandated as the AMEP curriculum. The CSWE contains its own assessment system and levels based on learners' achievement of tasks in CSWE learning modules. It attracted (and attracts) exactly the same criticisms as did the ISLPR regarding its inability to record low proficiency learners' progress, and for exactly the same reasons – the limitations of what can be achieved with 510 hours of AMEP tuition.

ACTA survey results indicate AMEP and SEE assessors' preference for the ISLPR in determining eligibility and class placements. As can be seen in Table 5 below, 54 percent (n = 53/97) of those who had used the ISLPR rated it as superior to the ACSF.[71]

Table 5: Respondents' views of the ACSF compared to the ISLPR

Comparison with the ISLPR	No.	%
Much more appropriate than the ISLPR	15	10.87%
Somewhat more appropriate than the ISLPR	10	7.25%
No more or less appropriate than the ISLPR	19	13.77%
Somewhat less appropriate than the ISLPR	9	6.52%
Much less appropriate than the ISLPR	44	31.88%
I've never used the ISLPR[72]	41	29.71%
Total responses[73]	**138**	**100**

Survey comments specifically comparing the ISLPR with the ACSF relate to:

(i) accuracy

> *The ISLPR was a more effective tool. There is so much assessor error with the ACSF. I've had students in classes who've been rated as ACSF 1 and they are really closer to a 3 or vice versa. Then they end up in the wrong class and the student complains or it makes so much trouble for them because they think they are better than what they are and when you try to put them in the correct level their self-esteem is damaged and they don't return. Or basically because the class is not their level they don't come. The students don't understand the ACSF, it's too complex. They are ESL learners!!! ACSF doesn't motivate anyone. It is just another document we have to use to develop tests and align things to!!!*

(ii) ability to capture English proficiency levels

> ∗ *ISLPR is a more subtle tool suited to the needs of ESOL assessment. ASCF categories are too broad, it is a clunky tool to use. The result is that in discerning an ESOL level with ASCF is frequently problematic as candidates demonstrate some skills and errors across a range of levels. Furthermore, the ESOL teacher does not naturally think in ASCF categories. Whereas the ISLPR does represent a more natural language categorisation.*

> ∗ *The ISLPR had levels which made sense and which related in a comprehensible way to the process of learning a new language. It was a much more straightforward and easily applied diagnostic tool than the ACSF.*

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[71] The question was *"In regard to placing adult migrant English language learners in the AMEP and/or SEE Program, what is your professional opinion of the ACSF compared to the ISLPR?"*

[72] These are likely to be mostly SEE Program teachers/assessors.

[73] The total number of responses reflects the number of people who undertake initial placement assessments. This task is allocated to designated people.

(iii) complexity

> *The assessments are too long and time consuming. There is so much unnecessary annotation that doesn't assist at all in placing the client. There's so much focus on covering enough points so you have enough material to be able to complete the annotations, that you're once again focusing on compliance rather than on clients' needs.*

(iv) usefulness in counselling students

> *Teachers, and the '30% student contact time' tutors don't have time to critique an assessor's long-winded ACSF assessment. Students settling and having an initial assessment are often unsettled and need counselling (more than 'academic' counselling). The AMEP assessor's role should be strengthened to include more than academic counselling. ISLPR assessment is based on the 4 core language skills which are an essential base of any education system. Changing Information/Technology influence core services is an area of increasing need for students, and this should be considered as a core life skill to be included extra to the ISLPR.*

Leaving aside the ACSF's lack of validity, a correct claim for it in comparison with the ISLPR is that its indicators are greater in number, and more detailed and complex. The greater number, combined with their openness to interpretation and the differences in how tasks are developed and administered, makes it easier to report learner progress within the time frame required by the contract and progress KPI (200 hours). As we have already mentioned, evidence from the ACTA survey and forums is that assessors routinely under-assess those entering the Program in order to allow maximum scope for progress.

However, the evidence from the ACTA survey and forums is overwhelming that **reports based on assessments using the ACSF are inconsistent and invalid. They are meaningless fictions.**

ACTA holds the view that the ISLPR is the best available tool for assessing Australian adult migrants' eligibility for the AMEP, placement in classes at approximately similar levels and, given an adequate period of tuition time, learner exit levels. We also strongly believe that any resources directed to developing alternative and potentially better tools would be best spent elsewhere, for example, on professional development to support teaching. ACTA's Recommendation 17 is that the ISLPR be reinstated in assessing eligibility and initial placements in the AMEP. This recommendation needs to be placed in the context of curriculum for the AMEP and so will be presented at that point in our submission.

More importantly, ACTA also believes that it is inappropriate to use *any* **measure of progress in learning English** as the basis for a KPI related to AMEP provider or learner performance, as we shall elaborate below (section 7.2).

6.5 The ACSF – facilitating greater [sic] pathways between the AMEP and other training programs and the tertiary education sector

We have already shown that the ACIL Allen recommendation on facilitating pathways through mapping AMEP assessments against those in other VET programs has been misinterpreted. The AMEP "new business model" has done nothing to advance the actual ACIL Allen recommendation on pathways.

Evidence from the ACTA survey and the ACTA Sydney forum indicates that use of the ACSF plays little or no role in facilitating these pathways. Table 6 below presents survey responses to the question: *"To what extent does the ACSF assist client pathways?"*

Table 6: Respondents' views on the ACSF's role in facilitating pathways from the AMEP & SEE Program

PATHWAY	The ACSF						
	Greatly facilitates	*Slightly facilitates*	*No effect*	*Slightly complicates*	*Significantly complicates*	*I don't know*	*TOTAL RESPONSES*
from the AMEP to the SEE Program	26	57	102	12	29	70	296
from the AMEP to the wider VET/education system	22	46	113	10	23	82	296
from the AMEP to employment	13	36	146	8	23	70	296
from the SEE Program to the wider VET/education system	24	48	76	11	20	117	296
from the SEE Program to employment	17	38	101	8	17	115	296
TOTAL	**102**	**225**	**558**	**49**	**112**	**454**	**1,480**
%	**6%**	**15%**	**37%**	**3%**	**7%**	**30%**	**100**

As can be seen from Table 4, nearly 80% of respondents were unable to verify any role for the ACSF in facilitating pathways: (37%) believed that use of the ACSF in the AMEP and SEE Program had "no effect" in assisting students into other VET programs or employment; 30% did not know; and 10% believed it complicated pathways.

The Sydney Forum Notes include the following:

> The ACSF does not facilitate movement of clients to vocational courses. There are questions regarding the government's assumption that the ACSF provides any added value to students moving to vocational courses. The marketization of VET courses means that RTOs & TAFEs take no account of AMEP ACSF assessments because they want to attract as many students as possible and get them through their own courses.

Unlike the CSWE (or other accredited courses), ACSF assessments do not yield any Certificate or credential that those exiting can show to employers or other education providers. It is difficult to imagine assessments specifying achievement of ACSF indicators being intelligible to other course providers or employers. In fact, anecdotal reports suggest that, contrary to the Department's claim, the ACSF is not used as an assessment tool or even a functioning reference point in the wider VET sector.

Comments by ACTA survey respondents on the ACSF's role in facilitating learner pathways reveal that, in fact, the admission of students to the SEE Program and other VET courses is determined at the point of entry, while employers use other judgements, as follows:

> ∗ *SEE requires an entry interview for post-AMEP clients so and ACSF scores assessed under AMEP are irrelevant as they do not form part of the PTA [=?], and cannot be considered.*

∗ *ACSF is taken [=administered] again when joining SEE; CSPA* [= Core Skills Profile for Adults] *is used for entry into other VET courses; ACSF is not used to gain employment by any of my students to my knowledge.*

∗ *My students are still being told by Student Services that they should get CSWE III to enter mainstream Cert III or IV courses (which is no longer correct) but with CSL* [the Queensland Core Skills for Learning curriculum] *they don't have that chance. They just get assessed according to ACSF but then that doesn't even count because everything is based on doing a BKSB test, which doesn't even assess speaking or listening skills.*

∗ *I don't know how it might improve anything as we don't give learners an ACSF certificate as far as I know... Currently I can't see on any website where tertiary institutions are using ACSF indicators as a pre-requisite or guideline for entry to courses, including RTOs* [= Registered Training Organisations].

∗ *Contrary to documentation blurb, employers here and students don't know the significance of the ACSF or understand it. Talking about PLB.03* [=?] *with both groups just sends them to sleep. It's just a case of we have this assessment to do, sit here and I'll ask you some questions. For what? There's no certificate, no record that means anything to the student - PLA or ACSF1. The only thing they are aware of is that if they improve they then might be promoted to the next level where work is more challenging.*

∗ *If students want to enter another course at TAFE their English is tested anyway.*

∗ *Employers and VET providers have no understanding of the ACSF, so it doesn't help our students.*

ACTA seriously doubts whether the ACSF plays any substantive role in the wider VET sector. The claim that its use facilitates pathways is, at best, unproven.

In the absence of evidence for this claim, ACTA questions what has prompted it. What is the source of the advice that underpins the Minister's and Department's statements above? Whose interests are served by the claims that have been made? Why are the CSWE and other accredited courses insufficient in facilitating pathways, especially given that these courses offer exiting students an established credential that other providers and employers can understand? Are the AMEP (and SEE Program) being used as a Trojan horse for extending use of the ACSF elsewhere in the VET sector?

6.6 Use of the ACSF in aligning the AMEP and SEE Program

No evidence currently exists that use of the ACSF in the AMEP facilitates pathways into the SEE Program or the mainstream VET sector. It is not "a tool for measuring language proficiency". As a framework from which to develop such measures, it is both invalid and unreliable.

ACTA therefore asks: **what purpose has been served by replacing the superior ISLPR and CSWE with the ACSF as the basis for determining eligibility and progress in the AMEP?**

The answer is provided in the Evaluation *Statement of Requirements*, viz. that the ACSF was instituted to align the AMEP and the SEE Program – or more accurately, given that the ACSF was already used in the SEE Program, to align the AMEP *with* the SEE program. (We are not aware of any concurrent Evaluation of the SEE Program). As we saw in the ACSF Introduction cited earlier (section 6.3), the ACSF's history lies with the SEE Program: the ACFS's predecessor (the National Reporting System) was developed for use in the SEE Program's predecessor, the Language, Literacy and Numeracy Program (LLNP).

The aim in aligning the AMEP with the SEE Program was described in the draft Request for Tender as reducing "administrative burden and cost":

1.4. AMEP and SEE Alignment

1.4.1. The following changes have been introduced in order to better align AMEP and SEE and reduce administrative burden and cost:

> a. the Contract Regions (CRs) for AMEP and SEE align using the Australian Statistical Geographic Standard
>
> b. a common client assessment framework using the ACSF
>
> c. a combined procurement process for AMEP and SEE
>
> d. one contract per Service Provider covering services under AMEP, SEE or both.[74]

Given that responsibility for both the AMEP and SEE Program now lies with one Department, this administrative logic is easy to grasp. From the Department's perspective, it would seem sensible for both Programs to be administered within the same geographic boundaries. Because the SEE Program is the *de facto* pathway from the AMEP for some migrants, a combined procurement process and contract also seem sensible.

However, as with the Evaluation *Statement of Requirements*, this logic takes no account of **the goals** of these two Programs. These goals are not – or at least should not be – directed to serving the Department's administrative convenience. "Aligning" the AMEP with the SEE Program through a common assessment framework is ***not*** on a par with changing regional boundaries and aligning contracts.

Probably the most dysfunctional aspect of DET culture is its understanding of its *own* goals. In relation to the VET sector, these goals are defined predominantly in terms of labour market outcomes.[75] In so far as non-administrative goals have played any role in the AMEP "new business model", it has been assumed that what holds for the SEE Program applies to the AMEP – that getting "clients" into employment is the paramount objective and that curriculum and assessment in the SEE Program are equally appropriate to the AMEP.

Taking employment goals as given, **the Department's main focus is on developing compliance requirements and mechanisms within a contractual framework, and monitoring and reporting on how these requirements are met.**

This focus on compliance has blinded the Department to the implications of "service provision" that is inherently educational and critical to Australia's social fabric. The confused and misleading statements about assessment examined above stem from a total failure to consider what assessment actually *is* in education. **This disregard is destroying the AMEP.**

In regard to reducing cost, the lack of transparency inherent in competitive contracting and its attendant "commercial-in-confidence" protections makes it impossible to assess the extent of waste, cost shifting and hidden costs attaching to the introduction of the ACSF to the AMEP, as we shall elaborate in section 11. Most directly, ACTA observes that the new role for the ACSF:

- has rendered useless the long-standing and well-regarded data management system used in the AMEP, known as ARMS.[76]

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[74] Request for Tender in Relation to the Provision of Services for the Adult Migrant English Program (AMEP) and Skills for Education and Employment (SEE) Programme. RFT PRN AD 16/001050 Schedule 1: general Conditions for all Tenders, p. 3.

[75] See for example the recently released VET Review: https://pmc.gov.au/resource-centre/domestic-policy/vet-review/strengthening-skills-expert-review-australias-vocational-education-and-training-system

[76] In 2001, an audit of the AMEP found that "the overall performance of the information system was adequate. Available reports are appropriate for use by DIMA's officers and service providers. The system administrator is able to produce reports to suit the special needs of the user base in a timely fashion and users also have the ability to produce their own reports. The online manual is of a

- is corrupting the Assessment Task Bank that supported the CSWE.

The estimated costs (over three years) are $4.3 million (or $4.5 million over four years) for the new data management system,[77] $799,530 for the ACSF professional development workshops, and $861,207 for the new task bank.[78] After nearly two years, neither the new data management system nor the new task bank is capable of adequately supporting providers.

As far as reducing administrative burden goes, the Department's workload may have lightened but provider workloads have escalated. The 306 replies to the ACTA survey question *"Generally speaking, how has use of the ACSF affected your workload?"* are shown in Chart 1 below.

<div align="center">Chart 1: Effect of the ACSF on workloads</div>
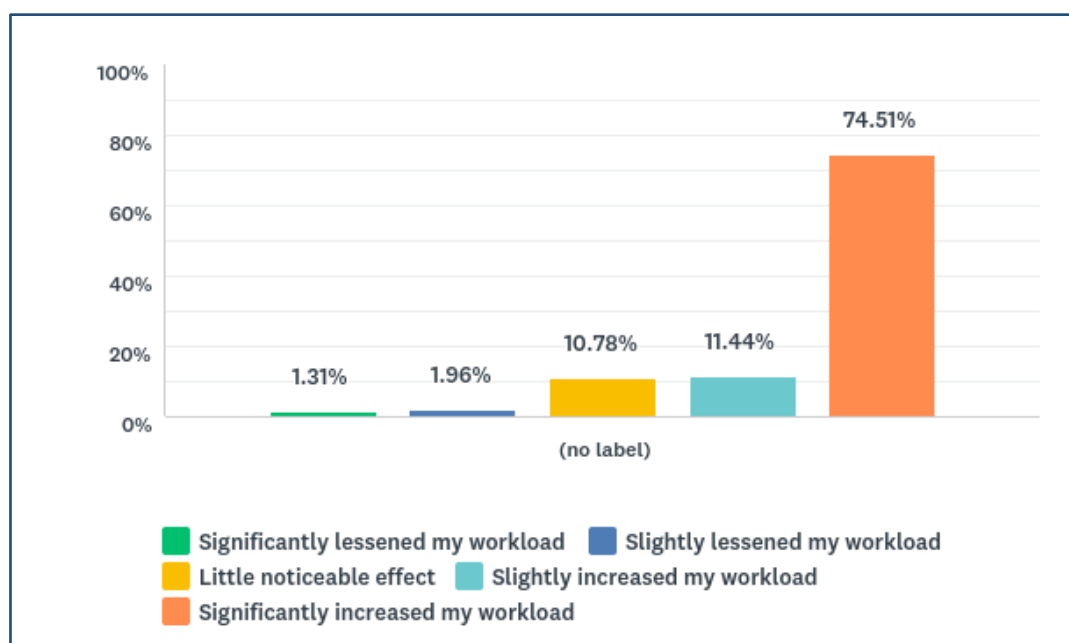
The increased workloads stemming from using the ACSF in the AMEP were explained by ACTA survey respondents as follows.

(i) Teachers must now double assess student progress, once using the ACSF to satisfy the DET contractual requirement and again to meet conditions for teaching accredited curricula:

* *Now we are assessing the curriculum and ACSF as separate issues at different times depending on when clients reach their 200/400 hours etc. Frustrating having to deal with two competing demands. Government AMEP contract (ACSF) and TAFE. We are serving two masters who do not communicate or understand each other. We are the meat in the sandwich.*

* *I have to use both CSWE and ACSF for teaching and assessments which cause huge confusion and have increased incredible amount of workload.*

* *Requires double assessing ... for ACSF indicators as well as for CSWE Modules.*

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professional standard, is easy to use, comprehensive and detailed. The ANAO concludes that the information system has the necessary elements and functionality to support contract monitoring and contribute to the achievement of DIMA's objectives for the AMEP." The Auditor-General (2001). *Management of the Adult Migrant English Program Contracts*. Audit Report No.40 2000–2001, Performance Audit. Australian National Audit Office 2001, paras. 4.26 & 4.27, p. 73

[77] Dept. of Education & Training SQ18-000564, Senator Jacinta Collins, 13 June question on notice no. 274, 2018-19 Budget Estimates. Also Dept. of Education & Training SQ18-000999, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019. According to this reply, the system will be in place "at the commencement of the next contract, from 1 July 2020".

[78] Dept. of Education & Training SQ18-000613, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.

- *Previously, assessment was of the curriculum being taught. Now it is the former as well as the ACSF[79], clearly the workload has increased significantly and unnecessarily.*

(ii) Reporting on ACSF assessments is complex, excessive and frustrating:

- *On top of the assessments, we need more time to try to cover all these performance features, "pretend" to tailor students' individual needs, write cover sheets, send off reports, update their portfolios/IPGs.*

- *4 coversheets per* [individual] *assessments: 1. ACSF coversheet report (2 pages long) for each student one per term per ACSF indicator or every 200, 400 and at exit, 2. CSL/ ACSF exam coversheet with comments: one per term, 3. IPG resulting to ticked uploaded and printed one per term,4. PAR: the ACSF indicator evidence reporting which for each criteria requires responses for where the evidence can be found in the exam paper: THIS AMOUNT OF DOCUMENTATION ALSO REQUIRED FOR A STUDENT WITH PRE-LITERACY SKILLS* [who] *MAY HAVE* [only] *WRITTEN THEIR NAME ADDRESS AND PHONE NUMBER. Really, how much can you read into a students' performance? This is where outcomes based curriculum like the ACSF has become so overcrowded with what the student must achieve that you can't see the forest for the trees!*

- *The paperwork seems incredibly duplicated and micro picky.*

- *It's clumsy and unsuitable. The initial assessments requiring recorded evidence take well over an hour and the high level assessments can take 2 or more hours. If files are called for audit they then have to have a full write up. The initial assessments are onerous and interrupt building a rapport with the interviewee - this is less welcoming for new students and frustrating for teachers.*

- *How could it decrease my workload? I choose the ACSF assessments for each student individually; administer them often individually; then write up the analysis; and fill in the 3 lots of paperwork; then file.*

To sum up this section on the ACSF, *none* of the reasons given for adopting it in the AMEP withstand scrutiny. Its use as an assessment tool was not recommended by ACIL Allen. It is superfluous to facilitating pathways between the AMEP and other programs or employment. It is inferior to the assessment tools previously in place. Its use of the ACSF as a benchmark in initial, progressive and exit assessments in the AMEP (or the SEE Program) is not appropriate, effective or practical. It has done nothing to improve AMEP client outcomes and has damaged the credibility of reporting on these outcomes. Its use in aligning the AMEP with the SEE Program is directed solely towards compliance, which is impossible to achieve with integrity and is inviting teachers to game the system. It has substantively increased provider workloads and has entailed discarding well-established reporting systems and infrastructure which are yet to be replaced with anything that functions satisfactorily. In short, mandating use of the ACSF in the AMEP has served no good purpose and the disruption it has created has been disastrous.

Our recommendations on the ACSF will follow our consideration of its current role in performance management in the next section.

7. Performance management *(requirement 1f)*

The KPIs to which AMEP providers work were specified in the Draft Request for Tender as follows.[80]

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[79] What is probably intended here is "Now it is the ACSF as well as curriculum".
[80] Draft Request for Tender. Adult Migrant English Program (AMEP) Tenders only, Schedule 3, part 1, B5.6. p. 3.

Table 7: AMEP KPIs (from Draft Request for Tender)

General Services Provider KPIs	Indicator	Measurement
1. Engagement	Number of clients who are assessed as eligible in AMEP who commence in the programme.	90% of eligible clients who complete an initial assessment in AMEP actually commence in the programme.
2. Attainment	Client benefits from programme training as measure by Australian Core Skills Framework (ACSF) improvement.	80% of clients in the Social stream attain one ACSF indicator per 200 hours of training. 80% of clients in the Pre-employment stream attain two ACSF indicators per 200 hours of training.[81]
3. Data Timeliness	Data is entered into the system within the required timeframes.	95% of data is entered into the system within the required timeframes.
4. Accurate Assessment	Client assessment is accurate in accordance with the ACSF.	95% of client assessment outcomes are accurate against the ACSF.

All four KPIs depend or relate to the ACSF. The workload that attaches to it complicates, increases and – in some cases – undermines these KPIs' effectiveness in enhancing providers' accountability.

7.1 Engagement

7.1.1 Continuous enrolment/rolling intakes

Continuous enrolment has been a long-standing feature of the AMEP's commitment to "Engagement". Admitting potential enrolees to classes as soon as they present at an AMEP Centre prevents them from being discouraged when they are made to wait. Although difficult, providers and teachers have generally found ways to accommodate continuous enrolment.[82]

Continuous enrolment has become a nightmare when coupled with the "Attainment" KPI that requires individualised ACSF assessments every 200 hours against class rolls of anything up to 40 students (see 7.1.2 below), plus assessments on the accredited curriculum. Classroom teaching has been effectively replaced by almost non-stop assessment in the form of either direct preparation of students for specific assessment tasks ("teaching to the test") or administering tasks and "supporting" students while they take them. The following comment from the ACTA survey illustrates how use of the ACSF intersects with continuous enrolment and other duties to create an impossible workload:

I refuse to take excessive amounts of work home, but unfortunately that has meant that under the new contract it is impossible to meet all of the work requirements of teachers. The excessive amount of report writing that goes with assessments is just not doable, especially in a multilevel, multi-funded classroom where students are not doing the same assessments. We have rolling intakes, and such a variety of learners that all non-teaching time is consumed with preparation for class as we are preparing lesson plans x3 or 4 for each class x3 sessions per day. We cannot follow any one book and the ridiculous decision to put SEE and AMEP together using the same assessments has been a nightmare. All SEE materials were written for native speakers and often assume cultural information. The idea that we can contextualise for each student is academic arrogance - no teacher on the front line has time to contextualise for each, nor should it be necessary. As a teaching group we were conned into teaching longer hours on the agreement that we would have more admin support. The only problem

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[81] Feedback from providers and the workload attaching to the ACSF led the Department to reduce the requirement for the pre-employment stream clients to attain two ACSF indicators to one. As we have pointed out, this change has weakened the rationale for the social English stream being less demanding than the pre-employment stream.

[82] http://www.ameprc.mq.edu.au/docs/fact_sheets/06TeachingStrategies.pdf

was that under the new contract our teaching and assessment duties actually increase exponentially and because of our agreement we then had less time to do more work. The contract was costed to win not to deliver and the cost to front line teachers has been disgraceful.

7.1.2 Monitoring attendance and accounting for absences.

"Engagement" is monitored through reporting on student absences, as follows:

> **4.4 Absence and withdrawal**[83]
>
> You are not paid when an AMEP client is absent from class. AMEP clients are required to inform You of the reason for their absence from class. Clients may be absent from enrolled tuition for reasons including employment, illness, family commitments, absence from Australia or other circumstances.
> …
> If a client absence is explained, including pre-commencement deferral, You must record their reason for absence in MIS [reference]. You should discuss alternative AMEP tuition such as DL tuition (including short courses) and the HTS. …
> If client absence is unexplained and the client has been absent from class consecutively for two weeks (10 business days), You must:
>> • contact the client to ascertain reasons for non-attendance and discuss options.
>> • record the discussion on the client's IPG [reference]
>> • record the unexplained client absences in the MIS.
>
> The above activities should take place within five business days of the client's unscheduled absence. You should make reasonable attempts to contact a client, defined as three telephone calls as well as a follow-up email and/or letter, where possible.

ACTA understands that these duties have largely fallen to classroom teachers. They can entail hours on the phone and documenting the results. Absences are common in the AMEP, which is understandable, since many students are dealing with the aftermath of previous trauma, and trying to establish their own and the families' lives in Australia (e.g. finding housing, schooling, health services and employment).

This follow-up requirement above applies to all those *registered* on a teacher's roll. On the (correct) assumption that some who register will not present in class or will drop out, classes are routinely over-enrolled (see also section 10). The ACTA survey includes ten reports of more than 40 students registered on a single roll, with a further 26 classes with 31-40 students.

Multiple documentation of attendance (and absences) can also be required, as one ACTA survey respondent explained:

> *I have to say 20-25* [on one roll]. *BUT "One class roll" is deceptive as more students are entered on one roll per curriculum level and then an additional and separate roll for students who have childcare. Some teachers have had 6 rolls for one class. The total between these is usually 26 so that the attendance will be at least 20 average each week. The total number of students seen by one teacher on the rollover a term will be much higher with continuous enrolment. It could be as high as 40. Maybe higher.*

7.2 Attainment

A basic textbook description of criteria for best practice KPIs is as follows:

> **Specific** - It has to be clear what the KPI measures. There should be one widely-accepted definition of the KPI. This will make sure different users interpret it the same and come to the same conclusions which they can act upon.

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[83] Draft Request for Tender. Adult Migrant English Program Service Provider Instructions 2017-2020, Attachment B, para. 4.4.

Measurable - The KPI has to be measurable to define a standard - time, cost, quantity etc. This will make it possible to measure the actual value and to make the actual value comparable to the targeted value.

Achievable - It is really important for the acceptance of KPIs and performance management within the company [sic] that this norm is achievable. Nothing is more discouraging than striving for a goal that you will never obtain.

Relevant - The KPI must give further insight into the performance of the company in order to achieve its strategy. If a KPI is not measuring a part of the strategy, acting on it is irrelevant.[84]

Evidence from the ACTA survey and forums shows conclusively that use of the ACSF to support an "Attainment" KPI fails all these criteria:

- what is being measured is **quite unclear**
- the baseline data it produces is **clearly inconsistent** and there is no way of checking for consistency
- the required standard of achievement (1 indicator in 200 hours) has **no evidential basis**
- the lack of evidence about what students *should* be able to achieve, the complexity of the ACSF, and the workload attaching to its use make benchmarks so far from achievable that **reporting against them cannot be trusted**
- the ACSF is **only relevant to the Department's convenience** in "aligning" the AMEP with the SEE Program
- the ACSF is not only irrelevant but is **undermining the AMEP's settlement and English language learning goals** (see section 8).

In practice, the operation of the "Attainment" KPI was summed up by three ACTA survey respondents as follows:

∗ *Individualised indicators to be assessed + multi-level class + KPI + poor attendance + co-teaching classes + two assessment systems = disaster*

∗ *Provision of PD to assist staff, development of contextualised tasks, writing extensive coversheets and annotating tasks, time consuming audit preparation to ensure we comply with KPIs. It is fiction and it is ridiculous.*

∗ *The ACSF, with the idea of individualized assessment, is very impractical and unfeasible in the current context where there are two assessment systems in place (ASCF and CSWE at my workplace) with totally different criteria and requirements. On top of that, there is the KPI of 80% of one indicator up after 200 hours in the ACSF, multi-level class, poor attendance, doing coversheets, no clear instructions on what is considered verified by auditors, that add to the craziness of teachers having to make sure their students have achieved the ASCF indicators, the administration related to keeping track of who has achieved what, of grabbing a low-attending but the due-ACSF client the moment they come to class to give a test before touchdown of 200 or 400 hours while juggling with teaching the other students (and couple that up with a class of two [part-time] co-teachers).*

Leaving aside the multiple deficiencies of the *current* tool that underpins reporting on Attainment, **ACTA questions whether *any* attainment KPI could be appropriate, effective and practical in the AMEP**, given current entitlements, the lack of evidence-based standards relating to the AMEP, the actual needs and difficulties of newly arrived migrants and refugees facing issues that impact on

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[84] https://www.targetdashboard.com/site/guide-to-kpis

their progress and attendance, and the instability of provision that follows from the current method of contracting (see section 11).

Minor fixes will not alter these fundamentals. They make use of *any* Attainment KPI in the AMEP unreliable. This unreliability is intensified by the stakes for learners and providers that hinge on the Attainment KPI – it is inherently an incitement to the production of fictions and gaming the system. These problems are not solved but are rather entrenched by punitive and excessive auditing (see section 7.4).

As we have already stated (section 6.4), there is no currently available assessment tool suitable for measuring progress in the AMEP (or SEE Program) and the resources required to develop one could be put to much more productive use.

However, it should be clearly understood that ACTA is *not* advocating the abandonment of *collecting data* on progress and attainment, for example using the progress measures attaching to existing curricula. On the contrary, these data would provide valuable material for disinterested research and analysis into what is actually achieved in the AMEP. **ACTA's objection is to the distorting effect of an Attainment KPI on the educational and social goals of the AMEP, and its inherently corrupting effect on accountability processes and measures.**

7.3 Data timeliness

The extent and complexity of documentation required in using the ACSF has substantively increased provider workloads. The Engagement KPI adds even further time-consuming tasks and paperwork (section 7.1). Timely data entry is also impeded and complicated by delays in instituting proper data management systems consequent on discarding the previous ARMS. The timely data entry requirement has led to unacceptable levels of unpaid overtime for managers and teachers. 90 percent of respondents to the ACTA survey reported working unpaid hours, as shown in Table 8.

Table 8: Unpaid hours worked per week (averaged over past 10 weeks)

Unpaid Hours Worked per week (averaged over past 10 weeks)	No. Respondents	% Respondents
0	33	9.71%
1-4	74	21.76%
5-8	85	25.00%
9-16	96	28.24%
17-24	21	6.18%
more than 24	31	9.12%
TOTAL	**340**	**100**
Skipped	82	

As one respondent wrote:

> *To do all the paperwork + create assessments from scratch + hours of validation + marking + lesson prep I cannot fit all these things in the hours I am given on top of my teaching hours. I have a logbook*

(advised by my accountant), so I could claim my computer and Internet use on tax. Last week I worked over 12 hrs (I mean from home). The weeks before - around 15-17 hours.

In some institutions, "time off in lieu" (TOIL) is offered in compensation for unpaid overtime. This form of compensation is largely a fiction because, if taken, it requires even more unpaid overtime when the person returns to work, as one respondent described:

I am routinely required to work overtime with no pay. It is a commonly known expectation that everyone in the team do overtime at no pay. I have recently been offered contract terms that would require 5 hours overtime for 7 hours paid work... I have refused to sign this contract, and negotiations are underway, but the impression I am getting is 'too bad, this is what is being offered' and the burden is on me to argue the case of why it is unfair... which I am of course having to do in my own time. Further, under the SEE contract, we do not have opportunities to use all of our NAT/holiday leave, as we have to teach during what used to be our AMEP holiday periods. We are kept on a skeleton staff, with no room for relief for holidays. When we do want to take holidays, we have to arrange our own cover from other teachers in the team; management do not do this for us. This often involves temporarily combining classes, or teachers racking up TOIL days that they then don't get opportunity to take. The stress of adversely affecting students or our co-workers means that there is a culture of guilt around taking leave, to which we are entitled! It leaves us feeling exhausted, demoralised and stressed. As the only PTA assessor at my site (because no other teachers have any capacity to take on PTAs) I also have to work year round, with no opportunity for holidays except the 3 weeks at Christmas, because we have to be available for interviews throughout the year... I desperately want to stop doing this role, because of the enormous burden and stress it places on me, but no one will take it over from me.

7.4 Accurate assessment

Ensuring the accuracy of ACSF assessments is the service provided by the Quality Assurance provider, Linda Wyse & Associates, now known as LWA.[85] The focus is largely on auditing ACSF assessments. Accuracy of ACSF assessments is determined through LWA checks on the extensive paperwork already described. This narrow focus accords with the administrative rationale for aligning the AMEP with the SEE Program and the silence on the AMEP's goals. ACTA deplores this narrow interpretation of "quality assurance".

The "accuracy" achieved by these audits is a vicious circle. The problems we have documented are never exposed but rather are progressively entrenched by the providers' dependence on meeting audit requirements and by the QA provider's vested interest in promoting the ACSF.[86] As described in Senate Estimates:

LWA offers expert guidance and support in delivery of English Language, Literacy and Numeracy (LLN) programs in adult education and workplace settings. LWA's core expertise lies in the knowledge, understanding and application of the ACSF in the LLN training and in training package delivery. LWA are specialists in the use of the ACSF in the adult LLN sector.[87]

In the previous AMEP contracts, Quality Assurance was undertaken by a different provider with no history of association with the ACSF.[88] ACTA considers that there is a fundamental conflict of interest in LWA's history in the development of the ACSF and its current multiple roles as auditor,

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[85] https://www.lwa.net.au/

[86] Linda Wyse is no longer part of LWA. We understand that its current employees had no direct role in the initial development of the ACSF.

[87] Dept. of Education & Training SQ18-000613, Senator Doug Cameron provided in writing, Question on Notice, Budget Estimates 2018-2019.

[88] National ELT (English Language Teaching) Accreditation Scheme Ltd https://www.neas.org.au/

task developer, provider of training workshops and author of reports to the Department on curriculum and qualifications.[89]

7.5 The effects of current compliance requirements on AMEP quality and accountability

Using the ACSF to align the AMEP with the SEE Program and as the basis of two KPIs has radically undermined quality, direction and morale in the AMEP.

The effects are repeatedly documented in the responses to the ACTA survey as follows.

(i) Teaching has been undermined and diverted

* *The nature of assessing using the acsf requires a lot of teacher input. Teachers may have to pre-teach some concepts, they have to work through and discuss the tasks with the students individually, make observations about students' learning styles etc. etc. As a consequence, it skews the content, methodology and time allocated to various parts of the course. Having to then write up the results is extremely time consuming and often serves no purpose other than stating the obvious or indulging in 'find and replace and alter'.*

* *I have less time to plan stimulating and meaningful lessons for my students - instead I must devote countless hours to meaningless ACSF summary sheets that have no actual relevance to the student and only fulfil an administrative requirement.*

* *ACSF assessment requirements don't allow for exploring language or topics in depth*

* *Less than one third of my class time has been teaching, and more than two thirds has been assessment.*

When asked about the time spent on core AMEP content, 64% of ACT survey respondents (n = 165/259) said that too much time was spent on the ACSF, while there was not enough time for settlement topics (52%) or pronunciation (57%).

(ii) Compliance has become an end in itself

* *It's* [= the ACSF is] *really a very inappropriate tool for use in both assessing NESB English language proficiency and placing students in AMEP classes. Even worse, as it's the basis for program KPIs (rather than the curriculum) it develops more significance in the eyes of management and Admin in RTOs than does the curriculum. It's of zero interest to most students. The ISLPR was much more appropriate and less intrusive in how it was administered. The idea that we need to write 'reports' simply for auditors to check 'quality' rather than for them to simply audit the evidence collected and proficiency levels attributed, is wrong and wastes taxpayers money and student entitlements.*

* *The ACSF is not suitable in so many ways. Because of the subjective initial assessments, students are misplaced into classes/levels. Students do not understand what the indicators mean from the initial assessment and with progressive assessment. It is purely a tool for providers to give to the government. It is counterproductive because too much time is taken up with trying to do assessment tasks for the sake of ticking a box for KPIs. Although assessment tasks can be useful in delivering a topic, too much is left out of really teaching what is required to be able to say with confidence that a student has progressed from one indicator to the next.*

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[89] *AMEP Curricula and Teacher and Assessor Qualifications Guide*. Dept. of Education & Training SQ18-000100, Senator Doug Cameron Question on Notice, Supplementary Budget Estimates 2018-2019.

* *It has taken my attention from increasing quality teaching in the classroom to attending to files to ensure that student ID numbers, names of tasks, identified units of study, boxes to identify region and program type are correct. I spend hours double-checking performance features from work that meets an ACSF level when the student has progressed beyond this, but the ACSF requirements for continuous and non-continuous/active and passive tasks at the level of the claim - not beyond the level of difficulty - mean that the true ability of the student cannot be claimed, as the evidence level does not meet their requirements. Teacher's professional judgement is not trusted, and students are doing tasks to satisfy nothing but a system that was never designed for ESL learners.*

* *It's* [the ACSF] *all we think about, it's all we do. And our workload has increased rapidly. A lot of teachers have been on sick leave experiencing stress, mental health issues - even hospitalisation - and staff morale has declined if not deteriorated.*

* *There was never enough time ... but the last two years at TAFE has seen a significant drop in time for all areas. I have just raised this point again with management, including HR, as with the current timetable and curriculum many 'basic' aspects of the AMEP are not being addressed given the pressures to have large classes and meet KPIs etc. It is applying* [= appalling?] *how we have lost the plot of providing a quality language/settlement program for our migrants and refugees. It falls onto the dedication of teachers to try to do the impossible. However, this is coming at a cost to the health and wellbeing of such dedicated teachers.*

(iv) Stress levels have risen and morale has dropped, both significantly

It is also little wonder that these requirements have raised AMEP managers' and teachers' stress levels. Table 9 shows that the greatest single cause of extreme stress reported by managers was audit requirements (58.67%).

Table 9: Sources of Stress for AMEP managers

	Not unduly stressful		Moderately stressful		Extremely stressful		Total
Audit requirements	9	12.00%	22	29.33%	44	58.67%	75
Student welfare	29	38.67%	35	46.67%	11	14.67%	75
Staff well-being	20	26.67%	30	40.00%	25	33.33%	75
IT systems	21	28.00%	27	36.00%	27	36.00%	75
Interaction with DET	34	45.33%	32	42.67%	9	12.00%	75
						Answered	**75**

In response to the question: *"Since 1st July 2017 [the start of the current contracts], has your feeling of well-being at work changed?"*, 71 percent of respondents reported a decline in their morale, as shown in Table 10.

Table 10: Morale in the AMEP and SEE Program since 1st July 2017

Morale	No.	%
Significantly improved	15	5.21%
Slightly improved	18	6.25%
Stayed about the same	50	17.36%
Slightly declined	84	29.17%
Significantly declined	121	42.01%
Total	**288**	**100**

This decline was described as manifesting itself in the ways shown in Chart 2:[90]

Chart 2: Manifestations of decline in morale

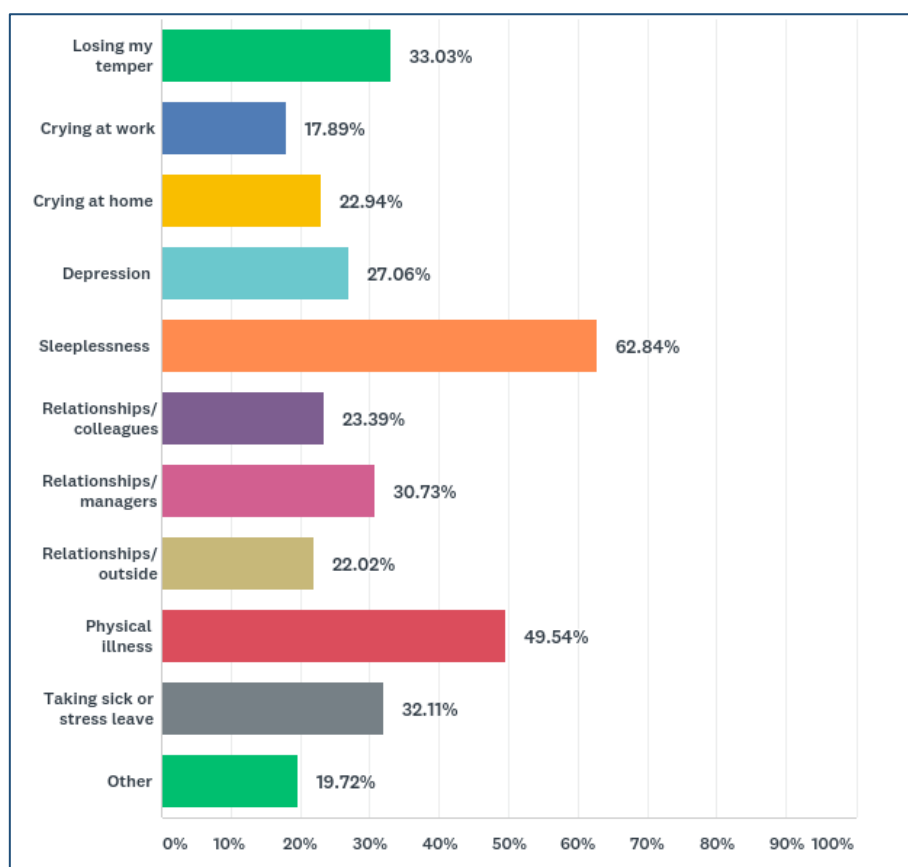| Category	Percentage
Losing my temper	33.03%
Crying at work	17.89%
Crying at home	22.94%
Depression	27.06%
Sleeplessness	62.84%
Relationships/colleagues	23.39%
Relationships/managers	30.73%
Relationships/outside	22.02%
Physical illness	49.54%
Taking sick or stress leave	32.11%
Other	19.72%

Table 11 below shows responses to a question about resigning from these Programs. Approximately 37 percent of respondents were considering leaving or had already left: 5 percent reported that they had resigned, 10 percent were actively seeking other employment, and 23 percent or were seriously considering quitting. As one survey respondent wrote:

All the talk about work life balance and wellness etc is just hot air, my colleagues have been dropping like flies. In my 8 years at TAFE working under the last 3 contracts this has been the worst I have ever experienced. I only wish I could do something else in this regional area, I would leave in a heartbeat.

Table 11: Actual and contemplated resignations

Have you considered leaving your employment in the AMEP/SEE Program since 1st July 2017?	No.	%
Yes, I have already left the AMEP/SEE Program since 1st July 2017	14	4.88%
Yes, I am actively looking for another job	30	10.42%
Yes, I am seriously considering looking for another job or even quitting work altogether	65	22.57%
I'm not sure at the moment	80	27.78%
No, I haven't considered looking for another job	99	34.38%
Total	**288**	**100**

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[90] Total responses: 281; skipped 203. The full version in the survey question of "Relationships/colleagues/managers/outside" was "Difficulties in my relationships with colleagues/managers/beyond the workplace".

Responding to a further question, 94 people said they knew 2-4 colleagues who had resigned, and 82 said they knew more than 4 people who had resigned. At this point, we do not have the time to disaggregate AMEP versus SEE Program employees.

To conclude our sections 6 and 7, ACTA's recommendations regarding the ACSF are as follows.

Recommendation 16: The ACSF should be immediately abandoned for use in the AMEP for initial, progressive and exit assessments in the AMEP.

Recommendation 17: The ISLPR should be reinstated for initial assessments in the AMEP.

Recommendation 18: The Attainment KPI should be discarded in the AMEP.

Recommendation 19: Providers should be required to document and report on exit levels according to the accredited curriculum they use. This documentation should be maintained by DET to develop a relatively sound and reliable evidence base that is independent of any KPI and not corrupted by the pressure to meet any KPI.

Recommendation 20: Auditing achievement of KPIs in the AMEP should be undertaken as a separate process by consultants who have no role in the Program other than as auditors.

Recommendation 21: The Department should initiate an independent research project with a view to determining appropriate, effective and feasible KPIs for the AMEP. The project should be separate from the current AMEP Evaluation and should build from its findings. The project team should include independent experts in public administration and English language teaching and assessment.

8. Curriculum *(requirement 1g)*

This section considers:

1) general trends in AMEP curriculum and teaching since July 2017
2) specific curricula
3) allowing provider choice of curriculum.

We will not comment on curriculum in relation to streams. Given the evidence that streaming has failed, it should be discontinued.

8.1 General trends in AMEP curriculum and teaching since July 2017

A key theme in the ACTA survey was **the narrowing curriculum and teaching focus on employment topics**, as exemplified in the following comments:

* *We are told to focus on Employment, and the fact that they combine the AMEP and SEE students, so we have to try to focus on job-related topics and skills.*

* *The heavy focus on employment topics really limits our options for engaging and interesting learning. Language that can be used for employment can be gained through activities that are not themselves employment focused. We also find that students are doing the same topics over and over again, e.g. WHS, which is really boring for them. Pronunciation, although referenced in the ACSF and CSWE, is not given sufficient time and this really hinders the learners' job-seeking.*

∗ *The constant focus on Employment is detracting from other very important settlement topics, such as Health, Education, Law etc. While Employment topics are important, they should only be a part of our teaching themes. If nothing else, they are boring for both teachers and students. How can teaching WHS every term be interesting?*

∗ *Too much time taken up by constant assessing with too strong a focus on work regardless of the student just having got off a plan to come to this country unable to even say their names (zero students)*

The focus on employment has **diminished attention to the broad range of settlement topics** previously encompassed in the AMEP. The Melbourne and Sydney forums revealed some variation in this shift. Some Melbourne participants stated that they taught settlement topics despite the official emphasis on employment. At the opposite extreme, Appendix B to this submission includes one provider's 10-week work plan.[91] We suspect that the less educational understanding there is in provider/Centres, the more likely it is that contract requirements are rigidly applied, for example, as in the work plan in Appendix B.

Sydney and Queensland forum participants reported that "safety at the beach", which included talks by local life savers, had been dropped from teaching programs. A tragic coincidence was the drownings of two AMEP students this summer, including one from a Centre where an ACTA forum participant taught.

At the Queensland forum, it was reported that well-regarded materials to support a special needs course "The Language of Childbirth" are now never used.

The ACTA survey revealed that learning English through topics that provide information about Australia, together with excursions, are now rare to non-existent. 57% of respondents (n = 147/259) said that not enough time in the AMEP was given to topics about Australia and 60% (n. = 155/259) said there was not enough time for excursions. The following reasons were given:

(i) The focus on the ACSF

∗ *The new contract limits the resources we can devote to real settlement incl guest speakers, excursions etc. We used to have a fantastic and extensive settlement program but with the new emphasis both on ACSF and (through ASQA) on curriculum compliance and quality, we haven't time, money or energy for Settlement focus and special activities anymore.*

∗ *The introduction of ACSF into AMEP classrooms has superseded our settlement teaching.*

(ii) OH&S and other regulations

∗ *Excursions used to be an integral part of our teaching program, but the risk assessment is now so ridiculously complex and time-consuming that we don't even have time to fill out the forms.*

∗ *No time to prepare these areas of teaching. Unable to go on excursions as teachers now need to have a first aid cert. before going on excursion.*

∗ *Under the AMEP program people who have children in childcare cannot leave the site so this makes excursions impossible.*

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[91] We assume that the note that "planning must customise for spiky profiles to be assessed above and below the stated class level" refers to the diverse English language levels in any one class: see section 9 below

(iii) Focus on employment

∗ *Students are pushed into work any type of work there is no value placed on the importance of what the settlement program was prior to 2017.*

(iv) Cost

∗ *Hours are really tight - course hours are exceeded by nominal hours so there is no room for anything other than teaching to the assessments. Our centre has banned excursions because they are disruptive to attendance.*

∗ *Excursions unfortunately cost money and we don't have much of that these days.*

A lack of focus on citizenship topics runs counter to the Government's recent efforts to increase citizenship requirements. In the early 2000s, a six-unit Citizenship course was developed.[92] Resources were integrated with the three different CSWE levels and included spoken and written material and English workbooks, audio, video and CD-ROM materials, fact sheets information on Australia and Australian Citizenship in 22 different languages, and a professional development website for teachers. This material now languishes in the Trove collection in the National Library of Australia.[93]

Under the current contract, the focus on citizenship has further diminished, according to this report from the ACTA survey:

The new contract took away the requirement for a settlement-only class and so settlement material had to be included in mainstream classes again. In 510 hours of tuition, there is never enough time to cover everything the students need so teachers try to incorporate as much information within their language learning as possible.

These data support ACTA's argument that the only effective difference between the AMEP pre-employment stream and the SEE Program are their eligibility requirements.

8.2 Specific curricula

As we discussed, CSWE assessments previously provided the basis for the AMEP Attainment KPI. With the ACSF now serving this purpose, providers have been given a choice of accredited curriculum.

In 2018, LWA reported to DET on curricula deemed suitable for the AMEP. They recommended acceptance of the following:

1) Certificate [sic] in Spoken & Written English (CSWE)
2) English as an Additional Language (EAL) Framework[94]
3) Core Skills for Learning (CSL)
4) Certificate in English Proficiency (CEP).

These recommendations were based on the following criteria: "flexibility to tailor to clients' needs, ability to address the goals of the AMEP and capacity for reporting against the ACSF".

Accordance with these criteria were determined on the basis of:

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[92] The topics were: responsibilities and privileges of Australian Citizenship, Australian institutions and systems of government, the civic values of contemporary Australian society, and information on how to apply for Citizenship.

[93] Let's Participate: A Course in Australian Citizenship https://trove.nla.gov.au/work/19551293?selectedversion=NBD41691166

[94] http://www.williamstown-spotswoodcc.org.au/wp-content/uploads/22482_22492VIC-EAL-Framework.pdf

1) **descriptions of the target groups** in the introductions to the curriculum documents
2) the "structure of the curriculum/training packages" which were taken to reflect how skills and knowledge gained on completion **equate to the 'functional English goal of the AMEP"**,[95] and
3) "foundation skills coverage to allow for reporting against the ACSF", which was demonstrated by **"broad mapping" against the curriculum/package units**.[96]

ACTA does not accept LWA's impoverished description of the AMEP's goals as achieving "functional English" or curricula target group descriptions on their face value given the commercial incentives to sell licences (see 8.3). As we have shown in section 6, ACSF specifications are inappropriate for English language learners, so this criterion is irrelevant.

In the light of the evidence from the ACTA survey and forum, which we now present, plus the teacher qualification requirements, ACTA endorses the CSWE and the EAL Framework only.

The ACTA survey included various questions about curriculum, nominating the same four curricula for consideration. Chart 3 below is interesting in identifying alternatives to the CSWE, which we assume were used by some SEE providers (35%; n. = 109) prior to July 2017.[97]

Chart 3: Curriculum used in the AMEP and SEE Program prior to July 2017
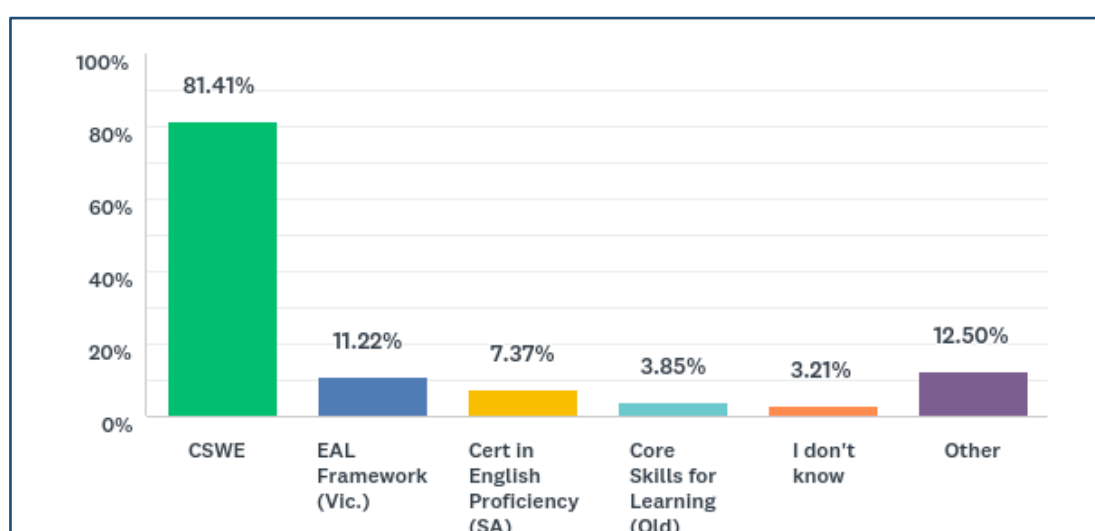
Table 12 below shows responses to a question regarding planned or implemented changes in the AMEP (only). The main changes were **adopting the Queensland CSL Framework** (19%), **the CSWE** (14%), **the Victorian EAL Framework** (15%).

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[95] *AMEP Curricula and Teacher and Assessor Qualifications Guide*. Dept. of Education & Training SQ18-000100, Senator Doug Cameron Question on Notice, Supplementary Budget Estimates 2018-2019., p. 20.

[96] ibid. p. 60.

[97] The survey respondents taught/managed in the AMEP and SEE Program as follows: 32% (n. = 101/323) taught in both Programs, 52% (n. = 168) taught in the AMEP only, and 17% (n. = 54) taught only in the SEE Program. Answers to "Other" were the ACSF, Foundations Skills and CGEA.

Table 12: Changes anticipated or in place since July 2017

Answer Choices	Responses	
No change for the foreseeable future	121	38.78%
Changing/changed to the CSWE	44	14.10%
Changing/changed to Victorian EAL Framework	48	15.38%
Changing/changed to South Australian CEP	6	1.92%
Changing/changed to Queensland CSL Framework	58	18.59%
I don't know	19	6.09%
We are changing to another curriculum not listed above[98]	54	17.31%
Answered	**312**	

Table 13 below presents the reasons respondents believed determine their provider's choice of AMEP curriculum in order of frequency:

- alignment to the ACSF (106/309 = 34%)
- meeting learners' needs (76/309 = 26%)
- cost of the licence fee cost (78/309 = 25%)
- improving contract chances (73/309 = 24%)
- alignment of the AMEP with the SEE Program (69/309 = 22%).

Only one of these reasons relates to AMEP goals, viz. meeting learner needs. The remainder reflect the administrative goals discussed in section 6.6 above.

Table 13: Reasons understood for choice of curriculum

	Greatly influenced choice		Somewhat influenced choice		Little influence on choice		No influence on choice		Don't know		Total
Meeting our learners' English needs	76	24.60%	75	24.27%	39	12.62%	55	17.80%	64	20.71%	309
Higher quality than other curricula	42	13.59%	60	19.42%	47	15.21%	63	20.39%	97	31.39%	309
Options within the curriculum are more diverse/flexible than for other curricula	42	13.59%	67	21.68%	41	13.27%	62	20.06%	97	31.39%	309
Well-developed task bank	36	11.65%	54	17.48%	37	11.97%	110	35.60%	72	23.30%	309
Teacher qualifications requirements are lower than for other curricula	17	5.50%	23	7.44%	27	8.74%	132	42.72%	110	35.60%	309
No licence fee/cheaper than alternatives	78	25.24%	18	5.83%	15	4.85%	71	22.98%	127	41.10%	309
To align with the ACSF	106	34.30%	79	25.57%	31	10.03%	39	12.62%	54	17.48%	309

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[98] Changes reported as "Other" were FSK (6) and to the re-accredited CSWE.

To align the AMEP with the SEE Program	69	22.33%	66	21.36%	26	8.41%	62	20.06%	86	27.83%	309
To focus on employment	40	12.94%	74	23.95%	52	16.83%	49	15.86%	94	30.42%	309
Developed in our State	60	19.42%	32	10.36%	19	6.15%	78	25.24%	120	38.83%	309
To improve our provider's chances in obtaining the next contract	73	23.62%	46	14.89%	19	6.15%	46	14.89%	125	40.45%	309

The "washback" effect of the ACSF on curriculum is reflected in these responses (see also 7.5 (i)). The Notes from the Sydney ACTA forum summarise this effect:

> The current AMEP business model encourages the ACSF to become the curriculum in the AMEP by proxy.

A document tabled at the Sydney ACTA forum stated:

> Many providers are turning to curricula that allow easy reporting against the ACSF as their first consideration in choice of curriculum through which to deliver the AMEP, instead of whether the curricula are fit for purpose for teaching English as an additional language to people who need to learn English.

Given the double assessment and reporting requirements now in place, it is little wonder that curriculum is shifting in this direction when accreditation becomes due.

Aside from ACSF concerns, **the licence fee** is an important consideration. We return to this issue in section 8.3.

An ACTA survey question sought respondents' opinions about the curriculum used in their Centre. Chart 4 below shows that over half the sample (n. = 309) were reasonably satisfied with their current curriculum.

<div align="center">

Chart 4: Satisfaction with curriculum

</div>
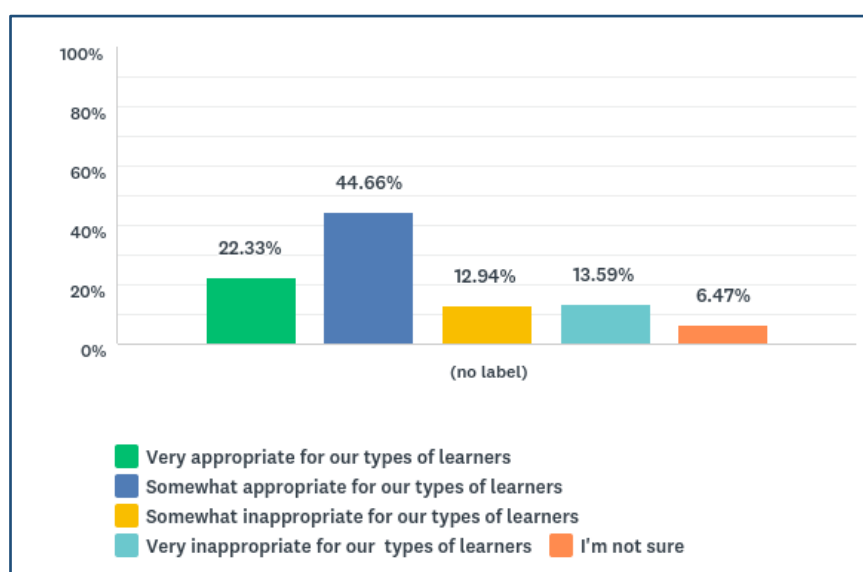
The question did not specify curriculum but some comments did.[99] We present comments from the survey and the ACTA forums on each of the four curricula in turn.

8.2.1 The CSWE

The CSWE was strongly endorsed for its relevance to settlement needs, as for example, in:

> *AMEP has been designed as a Settlement Program and CSWE seems the best suited to the needs of AMEP learner. However, as any prescribed curriculum, it needs supplementary resources with inbuilt flexibility in the programming for the expert teacher to address individual learners' needs. It would also benefit from a Blended Learning Platform and regular Orientation Sessions to it.*

The CSWE was also seen as relatively easy to use, as summed up in this comment:

> *The CSWE was magic, easy to understand and implement.*

The CSWE was re-accredited in 2018 and has changed to some extent. According to information given at the Sydney forum, its main alignment is to the ISLPR. Some survey respondents believed improvements had been made:

> *I don't like CSWE however the new version is much better and I believe it will lead to better outcomes once teachers raise their expectations of performance; note that level III is better aligned with actual skill requirements in community.*

The impact of the ACSF on the reaccredited CSWE was seen as problematic:

> ∗ *CSWE has always been used by TAFESA AMEP and the previous curriculum versions were tailored to suit settlement needs. The new CSWE 2018 (which we were not permitted to view before we purchased - other than a very simplistic example) has had the ISLPR re-aligned - which is very confusing. The increased reference to ACSF is also problematic.*

> ∗ *I have used CGEA and EAL and am of the view that the earlier versions of CSWE that stipulate language criteria in the assessment goals were excellent. The 2018 CSWE is more of an ACSF influenced document and language goals are nowhere near as clear.*

In contrast, others stated that alignment with the ACSF was insufficient, for example:

> *The NEW CSWE is vague in parts, ambiguous in parts which do not give clear guidelines about what level of language is acceptable for each criteria. It does, however, include vocabulary and pronunciation in it. The new PRESWE also includes Settlement vocabulary as a unit which is very pertinent. The ISLPR ratings, for which most staff are untrained, present difficulties in terms of providing language at the correct level when no tool is provided by NSW TAFE for measuring language samples used for classroom and assessment purposes; and for students to achieve the recommended levels within the curriculum. Teaching the PRESWE program will not prepare students for the recommended exit ISLPR level. They need to work beyond sentences. The NEW CSWE does not align with the ACSF. This makes it very difficult. We find it difficult to work out when to progress students to a higher class: achieve a unit? 2? the entire certificate? (NOT likely in 510 hours!) ACSF increases? Students tend to progress in their English skills faster than the certificate gives them a chance to do. Maybe better RPL access/ tools would allow progress? (NB RPL with the VET sector takes ages to do per unit!)*

One person stated that the CSWE's lack of alignment with the ACSF had caused her Centre to teach directly to assessment requirements:

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[99] It would be possible to probe further and identify which curricula respondents were referring to but ACTA lacks the resources to undertake this analysis at this point.

I like cswe from a theoretical and pedagogical pov [point of view] - *but i'm not sure it's suitable for our learners anymore. it's difficult to align to the acsf and there is no syllabus so we tend to teach to the LO and assessment. This means there's high variability within the levels depending on the teacher.*

Opinions are also divided on the CSWE's flexibility:

∗ *I believe that the CSWE is appropriate. It is flexible enough to allow tailoring to individual learners or classes. However, some of the evidence descriptions are ambiguous which makes it difficult to determine if a learner has demonstrated competence in a specific unit.*

∗ *CSWE restricts the flexibility of some very capable teachers and volunteers; CSWE focus pigeon holes migrants to behaviorial and speech patterns of lower socio economic Australians and does not do enough to just foster good pronunciation and love of language and culture in English; CSWE does not build on interlingual capacities of transnational students. CSWE dictates learning and leaves no room for learner choice or self-directed learning by adult learners.*

8.2.2 The EAL framework

From the Sydney and Melbourne ACTA forums, it would seem that the main issue regarding the Victorian EAL Framework is that it is more demanding than the CSWE for both learners and teachers. Survey comments included:

∗ *Some units are too difficult and crowded for certain levels and others too easy. For example "Examine current issues". EAL 2 has 3 parts and has only been allocated 55 hours. There is too little time to teach students the content of the news, the grammar, writing an opinion etc!*

∗ *Prior to July, 2017 I worked for another provider in the AMEP and used CSWE. This was far more suitable to the clients we teach, had excellent resources and task bank and focused on the student needs rather than purely on outcomes. The EAL is too complicated for AMEP students and the assessments are too complicated and time consuming. Most of our time is spent assessing and the students are moving through levels without having attained the fundamentals of the previous level.*

The following comment compares the EAL with the CSWE:

I don't have a problem with the curriculum but I have a problem with the modules I have had to teach this term!!! Also the lack of the real prelim level has been the real pain, but that will change next year. But that's the choice of our college - we all have to do the same modules!!!!! Grrrrr!!!! What happened to student needs? So far I don't see EAL as better or worse than CSWE. Though I can see the options might be interesting in the future. The change in levels between the two is something we don't really seem to have clarified - the idea that after EAL 3 the students are ready for mainstream... hmm. And assessment seems so subjective. Sometimes I really wish we taught Cambridge English or something more measurable ...(yes, grammar!!)

8.2.3 The CSL

Comments on the CSL were extensive and uniformly critical. It appears to exemplify the move away from the AMEP's settlement focus and towards more general Foundation Skills.

The issues raised in comments on the CSL were as follows:

(i) inappropriate pace and content for AMEP learners; literacy focus

∗ *The CSL curriculum does not suit students with diverse educational and language backgrounds. The nominal hours are totally inappropriate. Teachers have been told to cover a minimum of one CSL unit per term but if you unpack the requirements of units for EAL/D learners it is impossible to do so. This is compounded by a timetable that forces teachers to have less time for the teaching-*

learning cycle while giving more students to teach. It is then more challenging to integrate Settlement topics, field trips and fun activities.

∗ *Completely inappropriate for our learners and teachers. CSL is based on literacy students and ESL students are not literacy students. CSL has nominal hours of delivery and thus students are expected to achieve within the nominal hours, however, it is absolutely unrealistic. Further to this, the nominal hours do not reflect the teachers teaching time to even be able to deliver the content. CSL sets ESL students up to fail and doesn't allow any type of recognition (certificate).*

∗ *The curricula was designed for native speakers and is totally inappropriate for AMEP and/ or SEE students. Unrealistic assessment goals mean that we have to drive students through assessment rather than deliver quality learning opportunities. The course was supposed to align to the ACSF but it does not. CSWE Certificate IV students are left high and dry without a curriculum designed for their needs. Too many writing genres are lumped together to teach in the time allowed.*

∗ *I know no one that likes it (teachers). The CSL units/tasks favour the native speaker who has cultural knowledge of the Australian environment, and the units actually contain anomalies e.g. in level 3 reading unit, As well, the writing unit for this level is huge and would be a challenge to finish in a 10-week term. (We have given feedback on this.) As teachers we know that one size doesn't fit all.*

The extent of the CSL's irrelevance to adult migrants' English learning needs was illustrated at the Brisbane forum, where it was reported that students can "fail" an indicator on written genres if they neglect to use the phrase "once upon a time".

(ii) assessment tasks; workload; literacy focus; lack of alignment with ACSF

∗ *Educators across TQ have been vocal in saying the CSL in its current form is not workable for our ESL students. • Requests have been made to TQB management for educators to be taken offline to create CSL and/or CSL and ACSF mapped assessment tasks – requests have been denied due to the lack of funding. o Management's response was 'according to the EB it is the teachers' responsibility to create teaching material and assessment tasks'. ・ This means, on top of their current excessive workloads. • CSL is a literacy curriculum being adapted by ESL teachers to teach and assess ESL students. o Exemplar tasks are very assessor unfriendly in terms of administration and marking. o Original exemplars are flawed and don't provide the correct mapping documents or cover the key skills and elements in the tasks outlined. o The product is not optimal. o The CSL will change again as it is already being examined for changes. • Mapping CSL and ACSF to create Assessment Tools o Both are literacy based NOT ESL specific. o DO NOT map easily, need to create multiple tasks = 70+ hours per assessment task to cover the unit.*

It would seem from this description that task development for this curriculum falls to local teachers (see 8.3 below).

(iii) inappropriate approach; assessment tasks; workload

∗ *We changed to CSL, a curriculum that is, in my (and many of my colleagues') opinion is unworkable, that appears to follow the long-discredited Audiolingual Approach (10290NAT: SETRDG001 & 10288NAT: SLPRDG001) and that has no workable assessment items (assessment items developed by TELLS have to be modified in almost every instance to meet the curriculum - or simply, to be able to deliver them without confusing the students). It appears that the cheapest curriculum may not always be the best to meet our students' needs. Naturally, all the modifications of assessment items impact on teachers' working hours.*

(iv) numeracy component – disjunction with AMEP funding

∗ *Students will benefit from CSL but may not be able to complete all tasks. An additional problem is that the AMEP contract only funds the basic skills and CSL has a large compulsory mathematical*

focus. This means no AMEP student can achieve a CSL certificate because numeracy is a core compulsory requirement of the programme.

The question was raised in the Sydney forum as to whether the CSL conforms to the same requirements as enforced for the CSWE by accrediting body, the Australian Skills & Qualifications Authority (ASQA). On-going changes to the CSL appear to be contrary to these requirements. A survey comment raised the question as to whether ASQA is competent to accredit courses for English language learning:

CSL passed registration. I question ASQA's ability to know what's best for ESL learners.

8.2.4 The CEP

Seven respondents reported changing from the CSWE to the CEP and then reverting back to the CSWE, as in the following description:

From July 2017 we changed to CSWE for Pre and Level 1 and CEP for Level 2 and 3. However, teachers successfully lobbied the centre management and DET to amend the contract to retain the CSWE for all levels of students. With the reaccreditation of the CSWE we will continue to teach the 2018 CSWE.

A problem with the CEP was described as follows:

The CEP I does not include any pathways related unit/s Many students who are working towards ACSF 2 (ie exiting certificate 1's) want to work but need assistance around job seeking skills and career awareness The best unit available to teachers who wish to help the SEE student cohort is Develop an understanding of studying in Australia where one of the elements is related to setting goals (but there are no logical follow up units such as exploring different jobs; pathways; the job market; online job applications; resume writing and so on)

8.3 The licence fee and provider choice of curriculum

As we saw above, the licence fee was seen by ACTA survey respondents to play a role in the choice of curriculum. It would seem that this consideration revolves around the fee attaching to the CSWE, which needs to be understood in its historical context.

The CSWE followed a series of efforts in the 1980s to consolidate teaching resources in the AMEP.[100] Launched in 1992 and coincidental with the announcement that competitive contracting for the AMEP would commence in 1996, it was developed in NSW by NSW Adult Migrant English Services (AMES). The CSWE drew from a specific and controversial linguistic theory (known as systemic linguistics) developed by Michael Halliday, who was based at Sydney University and whose influence in Australia was considerable through the colleagues and students he attracted, including many in AMES NSW. When the CSWE became the mandated AMEP curriculum, support for its further development, task bank and associated professional development came from the AMEP Research Centre (2000-2009),[101] funded through the overall AMEP allocation. However, AMES NSW retained CSWE ownership and copyright. When AMES NSW lost their AMEP contract and went out of existence, ownership passed to TAFE NSW. The CSWE's further development, which now takes place in the context of re-accreditation by ASQA, is now entirely financed through its licence fee. The latest version was re-accredited in 2018.

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[100] For a somewhat bland account of its origin and (not universally accepted) theoretical grounding, see www.researchgate.net/publication/322711897_CURRICULUM_INNOVATION_OF_AUSTRALIAN_AMEP-CERTIFICATE_IN_SPOKEN_AND_WRITTEN_ENGLISH_CSWE
[101] http://www.ameprc.mq.edu.au/

The CSL is a new in-house curriculum developed by TAFE Queensland for the AMEP and brought into operation in 2018 when the CSWE was re-accredited and the old CSWE licence expired. According to ACTA survey respondents, the CSL draws heavily from other Queensland TAFE Foundation Skills and Language, Literacy & Numeracy curricula/packages. At the Brisbane ACTA forum, it was reported that managers have corrected descriptions of the CSL as a "curriculum" – rather, it is said to be a "training package" alongside other VET training packages. TAFE Queensland Centres pay no licence fee to use the CSL but other institutions in the TAFE Queensland AMEP consortium are required both to use the CSL and pay the fee.

The EAL was developed during the 2000s under Victorian State Government auspices, has no licence fee and is freely available on-line. At the Melbourne forum, participants said that a key reason for choosing the EAL in preference to the CSWE was the licence fee.

At this point, ACTA has no information on the South Australian **CEP**.

Advice from the Department to LWA in preparing their 2018 review of curriculum and qualifications was that "the reason for allowing the use of other curricula [than the CSWE] was to provide service providers with flexibility."[102]

"Flexibility" cannot be understood independently from (i) the ACSF's replacement of the CSWE as the basis of the Attainment KPI, and (ii) the CSWE licence fee.

As we have seen, use of the ACSF to generate KPI data made the CSWE redundant in this role.

Making curriculum a matter of choice has now left providers free to decide whether or not to pay the CSWE licence fee. When the CSWE licence fee was common to all tenders for the AMEP, the cost could not be used to distinguish one tender from another. In effect, the fee was borne by the Commonwealth. Providers can now dispense with paying the CSWE licence fee by sourcing their curriculum from elsewhere. In so doing, they reduce the cost of their AMEP tender, as borne out by the significant advice from the Department to LWA that "the much more competitive pricing for AMEP … has driven down the price service providers charge the Commonwealth for client tuition hours".[103]

Some ACTA survey respondents were aware of this dynamic, as for example in the following answer to the question on the reason for changing curriculum:

> *It appears cost was a decisive factor.*

ACTA understands that a key factor in Queensland TAFE's success in gaining the State-wide contract was reducing their curriculum costs in this way. An ACTA survey respondent noted:

> *CSL is a TAFE product hence cheaper to use. I think it is the sole reason it is used. It was mainly designed for the native speaker with literacy issues hence inappropriate for the L2 learner. TAFE as an institution has been progressively underfunded by consecutive governments so it always considers the bottom line.*

Regarding the switch to the EAL in Victoria, two survey respondents described the unfortunate conjunction of "commercial-in-confidence" concerns around the re-accredited CSWE and the impetus to lower tender costs and conform to the ACSF:

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[102] *AMEP Curricula and Teacher and Assessor Qualifications Guide*. Dept. of Education & Training SQ18-000100, Senator Doug Cameron Question on Notice, Supplementary Budget Estimates 2018-2019. p. 63.
[103] ibid.

* *EAL was seen as better aligned to ACSF plus the fact we couldn't see the CSWE before parting with $$ I believe.*

* *Management was not against continuing with CSWE if they could have seen more of what it contained and were convinced of its quality, but the level of secrecy attached to CSWE 2018 was worrying and made it impossible to make an informed decision. The college felt they couldn't commit to the purchase. It was: EAL- free + known content Vs CSWE- very expensive + could be average or a total dud.*

Contrary to the strong implication in the Department's advice cited above, the aim of this new "flexibility" is not to assist providers. Rather, this flexibility has shifted costs previously covered by the Commonwealth *to* providers. In the first instance, these costs accrue to Queensland TAFE and the Victorian and South Australian Governments, who have developed alternatives to the CSWE. In reality, much of the responsibility for developing curriculum, and therefore the cost, has been devolved to teachers. As already cited (section 7.1):

> *The contract was costed to win not to deliver and the cost to front line teachers has been disgraceful.*

Numerous responses to the ACTA survey describe this cost-shifting to front-line teachers. For example, as described by one ACTA respondent in regard to the EAL:

> *There was little transition. The October break 4-day PD involved our principal lecturer spending 15 minutes telling us which units had been chosen and telling us to develop Delivery plans, and locate/develop resources + assessment tasks in groups. My group consisted of 3 persons on the 1st day, and only me on the other 3 days. Most of the teaching material (books, videos etc) we used for CSWE can be used to deliver EAL units, but not all. We have access to tasks developed in another area of the college, but their quality is very poor. Our Portfolio manager has now purchased some Connect EAL tasks, but they do not cover all our course units, and we only got them in week 5. LWA task bank will supposedly add EAL assessment, which can't come soon enough. I am trying to write new material adapted to our learners, in my personal time.*

A similar process occurred with the CSL:

> *One session lead by TELLS was held on an orientation to the curriculum documentation. That's it. It is now in place, without teaching materials, assessments or any other support. It is outrageous. Yet more expectation for teachers to take away hours from their personal lives - because no time whatsoever allocated by TAFE - to create the resources needed. Yet it is the teacher's responsibility to assess and teach, so this resource and assessment creation process has now been added to already over-burdened teachers.*

As reported at the Brisbane ACTA forum (6 April 2019), it seems that this situation has not changed.

In other words, choice of curriculum – that is, the actual content of the AMEP – is now determined by market forces. As one ACTA survey respondent wrote:

> *The CSL was written by TELLS in QLD. The idea was to create a product that aligned to the ACSF for SEE and AMEP with lower teacher qualifications. The end game was to create a product that would be purchased by other states and make money. As it turns out, the CSL curriculum does NOT align with the ACSF. (TAFE QLD Management tried to sell the product to teachers with the sales pitch that CSWE does not align to ASCF, CSL does). However, CSWE comes with a great deal of support, resources, and assessments - teachers want a return to CSWE but TELLS will not listen to teachers voices.*

Shifting the costs to teachers of developing assessment resources also applies to the CSWE, according to this report from the ACTA survey:

I am responsible (with my PL counterpart) for developing CSWE2018 tasks for assessment and we only had 5 weeks before we had to assign students to be assessed. We created one task per CSWE level to enable this. TAFESA also has ASQA compliance requirements on top of creating tasks - so every task has a suite of complementing templates that are required by TAFESA. Despite multiple requests to TAFESA, AMEP/DET and ASQA for an extension we were not permitted extra time to develop tasks. There are no teaching materials developed and teachers will have to create these - 'as they go'. I will assist where possible. There is no assessment task bank. There is no IT reporting/ record keeping and we have had to create our own. Professional development will be organised by me (and my colleague) for each term, as will a moderation session each term - however the allocation of TAFESA resources is woefully inadequate for the task.

The curriculum market is now regulated by the ACSF compliance mechanism, as described in relation to professional development below:

The program has been about meeting requirements and compliance rather than meeting student needs. This is reflected in every area of work and PD has almost exclusively focussed on this rather than methodology and skill development.

The most extensive PD directed to compliance is the mandatory VET Cert IV in Teaching & Assessment and its on-going upgrades (see section 9.3 below). The following comment describes how meeting Cert IV requirements entails creating assessment tasks (in teachers' unpaid time):

Curriculum should have come with uniform assessments which could be contextualised for each situation. The assessment package creation process for getting assessments on Scope was unrealistic and stressful and required a lot of teachers to be pulled off class to work on this primarily. Other teachers had to put in long hours after class to assist. This process and the continuing assessment creation as part of the TAEASS502 process, will result in a huge disparity of quality in assessments and great variability in interpretation of what the curriculum writers have written. It will result in anything but a level playing field for assessment. As well as this, it (the TAE upgrade) is an extraordinary impost on people who are expected to find approximately 100 hours of unpaid study time.

As with client choice of streams (section 4) and provider (section 11), provider choice of curriculum is a façade. The minor partners in the Queensland TAFE consortium not only have no choice but are obliged to pay the CSL licence fee. Those most affected – teachers and learners – have no choice. As one survey respondent reported:

Teachers were consulted about this and overwhelmingly voted to REJECT CSL. However due to hopes that QLD TAFE would sell the licence rights and make money from CSL, management overrode the voices of teachers.

Provider choice of curriculum is the last step in the Commonwealth's abdication of responsibility for AMEP curriculum, a process that began when the AMEP Research Centre was disbanded in 2009 and the CSWE become entirely dependent on its licence fee. It is another facet of the failure to articulate the distinctive goals of the AMEP in the Evaluation *Statement of Requirements* and the minimalist "attaining functional English" in the LWA review of curriculum and qualifications.

Unfortunately, there was no question in the ACTA survey that sought respondents' views on the desirability of a common AMEP curriculum. However, comments supporting a common curriculum included the following:

∗ *We need a national curriculum designed specifically for the L2 learner that includes the genres they will encounter in their daily/work/study lives, as well as assessment tasks for these.*

∗ *Yes* [to the question on appropriate curriculum]. *If they all use CSWE. I still don't understand why the Dept does not set ONLY 1 standard curriculum for the program for the whole country. We*

should have only 1 curriculum, 1 standard, 1 task bank, and everybody will contribute to all these. At the moment, everyone is doing the same task but at different place and time. We are reinventing the wheel.

∗ *We are using FSK because we cannot use CSWE with new students now. Why can't we have ONLY 1 standard curriculum for the whole program? Too many cooks spoil the soup.*

∗ *Please use 1 standard curriculum for the whole program. Create a task bank. Stop using the ACSF. I think I am just sleep talking.*

ACTA believes that if curriculum choice were cost-neutral, providers would mostly revert to the CSWE, conditional on its approach being genuinely open to regular input from AMEP teachers nationally. A cost-neutral playing field would remove the administrative and financial penalties that now affect provider choice. These penalties will increase, we predict, unless they are removed. **A cost-neutral playing field would allow curriculum choices to be made purely on grounds of meeting AMEP learner needs.**

Creating this cost-neutrality would require:

(i) **discontinuing use of the ACSF as the basis for KPIs** – this would remove the incentive to choose curriculum that entails the least work in double assessments;

(ii) **excluding licence fees** – this would eliminate this means of differentiating between competing tenders.

On a level playing field, choice of the CSWE (or an alternative) by many or most providers would establish the case for focussing AMEP resources through a separate contract on maintaining and further developing a common AMEP curriculum and providing professional development in its use. These resources could come from those currently devoted to installing the ACSF. If it emerged that the CSWE was the choice of the overwhelming majority of AMEP teachers, its ownership might need to decided and/or renegotiated and/or relinquished to the Commonwealth with appropriate compensation.

On a level playing field, some providers might chose to adopt other curricula backed by other funding support. ACTA can see no reason why they should not be free to do so.

In short, on the basis of compelling evidence from the ACTA survey and forums, ACTA concludes that provider choice of curriculum is proving:

∗ **inappropriate**, because it has prioritised cost saving at the expense of curriculum that meets AMEP learner needs and the AMEP's settlement goals
∗ **ineffective and inefficient** as a means of maintaining and developing quality curriculum, because it duplicates and disperses efforts among competing providers and even Centres and individual teachers
∗ **impractical**, in that responsibility for developing curriculum, materials and assessment tasks has been substantively devolved to teachers, who lack the time and support to do this work, *but:*
∗ **highly effective** in shifting the costs of curriculum production from the Commonwealth to providers.

ACTA deplores the devolution of responsibility for AMEP curriculum content to market forces. The large-scale shift of costs in time and money to providers and, in turn, to individual teachers is unconscionable, as is the cynicism in describing this move (cited above) as providing "service providers with flexibility".

ACTA's recommendations are as follows:

> **Recommendation 22:** Tenders for the delivery of the AMEP should not be differentiated in regard to licence fees for accredited curriculum.
>
> **Recommendation 23**: Prior to the next Request for Tender for the AMEP and SEE Program, providers should be independently surveyed to determine their curriculum preference(s) for English language learners in both Programs if (1) the ACSF were discontinued as the basis for KPIs and (2) if licence fees were not a cost consideration. If a significant majority (say, three-quarters) of AMEP providers opted for the CSWE, the Commonwealth should assume ownership of the CSWE and compensate its current owners accordingly. The new contract round should include an open tender for maintaining and developing the CSWE, decided primarily on the basis of expertise in curriculum development and task-based assessment for learning English as second/additional language in a settlement context, and professional development for TESOL teachers. If no clear outcome emerged, Recommendation 19 should apply.

We reserve our recommendations on appropriate curriculum for use in the AMEP until after our discussion of teacher qualifications.

9. Teacher Qualifications *(requirement 1h)*

AMEP teacher qualification requirements come from four different sources:

1) **DET contractual requirements** to teach in the AMEP (differentiated according to streams)
2) **Accredited curricula** licencing conditions
3) **ASQA requirements** to teach in the VET sector
4) **Employer requirements**.

9.1 DET requirements

According to the 2018 LWA report,[104] the Department's requirements are as follows:

To teach pre-employment stream –

1) an Australian undergraduate degree or equiv.
2) a postgraduate TESOL qualification in adult education

To teach social English stream -

1) Australian undergraduate degree or equiv.
2) Enrolment in postgraduate TESOL qualification in adult education.

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[104] This information is from the 2018 Review commissioned by the DET and produced by LWA: *AMEP Curricula and Teacher and Assessor Qualifications Guide*. Dept. of Education & Training SQ18-000100, Senator Doug Cameron Question on Notice, Supplementary Budget Estimates 2018-2019, p. 64.

ACTA is absolutely opposed to lower qualifications for teaching in the social English stream, the rationale for which has no evidential basis (section 4). Given the clear evidence that streaming has not served its stated purpose and is actually dysfunctional, we are hopeful that it will be abandoned. Hence we will not repeat the arguments against lower qualifications for this stream that we have made in previous submission.[105]

The DET requirement for a postgraduate **TESOL qualification <u>in adult education</u>** is inappropriate, ineffective and impractical, if for no other reason than that such a TESOL qualification is rare if it exists at all. ACTA does not support this requirement because it is too narrow. TESOL teachers require a broad range of skills encompassing both adult and school contexts and they benefit greatly from interaction with colleagues from various sectors. We endorse the inclusion of an "adult learning" elective or content within or conjoining TESOL qualifications and support for AMEP teachers to take adult learning professional development.

We suspect that the DET requirement for an adult TESOL qualification is based on ASQA requirements and will discuss it in that context.

ACTA is seriously concerned at the advice from DET quoted in the LWA teacher qualifications review that:

> AMEP providers have identified that they cannot attract teachers with post-graduate TESOL qualifications. This is particularly the case in regional and remote contract regions. Accordingly, while post-graduate teacher qualifications may be optimal, the department needs to explore other options for providing AMEP tuition.[106]

This advice appears to ACTA to be part of a long-term strategy by the Department to drive down costs by reducing teacher qualification requirements, in which the first step was lowering requirements for the social English stream. We note that this advice runs counter to the requirement just described, viz. that teachers must hold a rare/non-existent TESOL qualification in adult education. We hope that the impossible contract requirement is a mistake and not designed to increase the difficulties in finding qualified TESOL teachers so as to support the justification for lowering qualification requirements.

The argument that TESOL qualified teachers cannot be found clearly serves employer interests. Their track record in this space is dubious. Taking the SEE Program as indicative, and bearing in mind the move to align the AMEP with the SEE Program, ACTA has received reports of a for-profit provider employing a fitness instructor and horticulture instructor, neither of whom had TESOL qualifications (or experience), to teach English language learners in the SEE Program. As we shall see in the next section, Queensland TAFE and TAFE South Australia no longer require TESOL qualifications to teach the AMEP. Some TAFE Colleges have downgraded teaching positions to "trainer" and "tutor" and other lower level positions with lesser qualification requirements and associated duties. Their supposedly lesser duties are more honoured in the breach than the observance.

That qualified TESOL teachers are not attracted to the AMEP is hardly surprising, given the severely demoralised AMEP teaching force revealed by the ACTA survey and forums. As we have

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[105] These can be found in the ACTA submission to the Joint Standing Committee on Migration *Inquiry into Migrant Settlement Outcomes*, May 2017, http://www.tesol.org.au/Advocacy/EALD-ISSUES-SCHOOLS section 3.5.1 (iii), p. 80.

[106] LWA: *AMEP Curricula and Teacher and Assessor Qualifications Guide*.p. 63.

documented above, TESOL teachers' knowledge and professional values are under attack at their very heart – that is, in how they being required to teach and assess. Until these problems are addressed, qualified TESOL teacher are unlikely to be attracted to the AMEP, as many respondents to the ACTA survey testified, for example:

∗ *I no longer work in the AMEP due to my complete dissatisfaction with the new contract. conditions.*

∗ *I was completely dissatisfied while at Max Solutions - facilities, workload, stress, all compounded by completely ineffective management. I found the lack of care given to students to be extremely upsetting, they were treated as a nuisance rather than as clients with special needs. Extremely toxic work environment that I am glad to be out of.*

∗ *Quality teaching has been attacked and hijacked from both ends - the new contract requirements including ACSF and LWA's priorities has completely demoralised lecturing staff as it is so pointless and bureaucratic. There is NO student quality consideration here in that it detracts so much from the energy and time we have to be quality teachers. Then the fallout from the ASQA audit requiring us to over-package and over-validate what should be simple assessment tasks has also hijacked our focus away from just simple good quality needs based teaching and learning. Educational bureaucrats are always using the Finnish model for education as a kind of benchmark - they should familiarise themselves with it! It has a focus on respecting the teacher's professionalism and ethical standards to allow them to prioritise teaching/learning and totally minimise 'quality compliance' mechanisms and paperwork.*

∗ *Every day I have to think about whether to continue to stay in this job or not. The workload is insane, and no matter how much time you put into it, it is never enough. Much of the blame is on introducing the ACSF to the AMEP. It increases the workload multifold. It was bearable when CSWE was the single curriculum required. Additionally, there is very little support from employers. The only things they do are chucking requirements on you, then letting you swim or sink on your own. The pay and working conditions are poor and not synchronized across the organization. The nature of tendering is doing havoc on the lives of all staff in the program. The contract is handed to profit-driven providers who care very little for the pay and working conditions of the staff, which in turns incur high turnover rates and poor satisfaction and efficiency on learners as well as staff's sides. Moreover, it is an immense waste when all the resources are discarded after a cycle of three to six years when another provider wins the contract.*

Any lowering of TESOL qualification requirements for the AMEP will contribute to a vicious cycle already operating in the school system where both English language programs and requirements for qualified TESOL teachers are in radical decline.[107] As the demand for TESOL qualifications reduces, universities will not offer them. This cycle was described to ACTA as follows:

> *The 'invisibilising' of ESL is flowing through into work currently being undertaken in my university as we develop the Masters of Teaching programs. One of the key policies informing this process is, of course, the AITSL teaching standards. ACTA's work in developing an EAL/D version of these standards holds little sway when some of us are arguing for course content space for EAL/D. There is no option for a specialist central subject, so EAL/D must sit across various theoretical subjects. Without a mainstream standard that clearly identifies EAL/D as a priority area of learning in preservice teaching, and only a nod to linguistic diversity (standard 13), we are now going to be producing teacher graduates (with a Masters no less!) who have very limited knowledge of the field.[108]*

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[107] One-line budgets for schools and school-based autonomy have led to a radical reduction in school EALD programs because there is no accountability for needs-based funding for English language learners. See the ACTA submission cited immediately above.

[108] ACTA submission to the Joint Standing Committee on Migration *Inquiry into Migrant Settlement Outcomes*, May 2017, http://www.tesol.org.au/Advocacy/EALD-ISSUES-SCHOOLS section 3.4.6, p. 70.

This process has now taken effect with fewer specialist TESOL qualifications now available from Australian universities. Where TESOL programs exist, the focus is often on catering to the lucrative overseas market. The WA ACTA Councillor recently reported that:

> *there is now only one WA university that offers specialist TESOL studies and only as a minor area (which has implications for practicum placements). The universities appear to be attempting to incorporate this as a unit in their general teaching degrees (which is not a bad thing but does not serve to develop professionals in our field). It means that other than CELTA and DELTA qualified teachers,[109] we will have no-one who has a specific TESOL major graduating in WA.*

The SA Councillor wrote:

> *My understanding, based on what a colleague from one of the universities in South Australia told me, was that universities are offering less about TESOL because it's no longer a subject area in the Australian Curriculum. So if it's not 'needed' in schools, it's not going to be offered just for the adult sector. At my colleague's university, the vast majority of students doing TESOL are international students, not local. So in a way it's being subsumed.*

ACTA is deeply concerned at the erosion of specialist knowledge and skills that is slowly but relentlessly occurring in our professional field. We are absolutely opposed to any further attack on the standards in our profession.

9.2 Curriculum Licence Qualification requirements

Given that the CSWE, Victorian EAL, Queensland CSL and the South Australian CEP are the main curricula taught in the AMEP and recommended by the LWA qualifications review, we will confine our observations to these four curricula.

All four curricula require:

  1) an undergraduate degree

  2) VET Certificate IV in TAE.

They are different in requiring:
  1) a **TESOL qualification** –
      a. *mandatory* to teach the CSWE and EAL
      b. TESOL *experience* (or a TESOL practicum) and *enrolment* in a TESOL qualification is accepted as substitute by the CEP
      c. TESOL or Adult Literacy *experience* are accepted as substitutes by the CSL.
  2) a 60 hour **TESOL practicum** (within the TESOL qualification) **or equivalent experience** – mandatory for the CSWE & EAL.
  3) training in use of the ISLPR and/or the ACSF – required by the CEP.

On no account does ACTA accept experience or an Adult Literacy qualification as substitutes for TESOL qualifications. Training in use of the ISLPR should be given by providers on the job.

Data from the ACTA survey indicates that the current level of TESOL qualifications is high among AMEP and SEE teachers and managers, as shown in Table 14 below.

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[109] DELTA = the Cambridge Diploma in Teaching English to Speakers of Other Languages. The 2018 LWA report to DET lists this at AQF 8 or AQF 9.

Table 14: Highest TESOL qualification of ACTA survey respondents

TESOL Qualification	no.	%
Masters in Applied Linguistics or TESOL or higher	143	33.65%
A full Post-graduate Diploma or Degree that specialised in teaching English to speakers of other languages	164	38.59%
A full ESL method in a Diploma/Masters/Bachelor of Education	41	9.65%
The Cambridge Certificate in TESOL (or the RSA Certificate) or higher Cambridge Certificate	16	3.76%
An ESL elective or single unit within a teaching qualification	12	2.82%
I have no specialist TESOL qualification and am not enrolled in one	23	5.41%
I have no specialist TESOL qualification but am enrolled in the following:	26	6.12%
Answered	**425**	

As can be seen in Table 14, 81% of survey respondents had an acceptable or higher level of TESOL qualification. 4% (n = 16) people held the Cambridge Certificate (CELTA). A small number were enrolled in a qualification or had an only done an elective unit or had no qualifications. Overall, the workforce as represented in this sample is well qualified, while the small number who are unqualified is concerning.

ACTA is acutely conscious that not all TESOL qualifications are of equal quality and some are deficient in preparing teachers who may wish to teach in the AMEP. In the 1980s and early 1990s, ACTA worked on criteria for recognising TESOL qualifications. This work appears to have been lost. We commend the newly developed NEAS model of *"Endorsement for providers of ELT Qualifications"* and believe it should be investigated by this Evaluation as per our Recommendation 25 below.[110]

9.3 ASQA requirements to teach in the VET sector

According to the LWA qualifications review, as from 01/04/2019 ASQA requires "trainers and assessors" in Registered Training Organisations (RTOs) to hold:

> TAE40116 Certificate IV in Training & Assessment or its successor
> **or**
> TAE40110 Certificate in Training & Assessment
> **plus**
> a number of specified units *or* a diploma or higher level qualification in adult education.

ASQA includes among the adult education qualification a Graduate Certificate or Diploma in TESOL. We note that, although the words "adult education" do not need to be in the qualification's title, units must require demonstration of "skills and knowledge necessary to train adults".

Responses to an ACTA survey question regarding TAE Certificate IV revealed that 386 out of 430 respondents held this qualification. Comments from 52 people were, with one exception, highly critical of this Certificate. These criticisms were directed to its poor quality, its superfluousness for those holding TESOL qualifications, its cost, the repeated requirements for upgrades (also costly), its almost exclusive focus on compliance, and the loss of time and money that teachers could devote to more relevant, higher quality professional development. The following comments exemplify some of these problems:

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[110] https://www.neas.org.au/teaching/endorsed_elt_qualifications_providers/

* *Obtaining this certificate proved a very taxing exercise. I have a BA in Japanese & Communications, Hons, Grad Dips in Journalism, Applied Linguistics & Teaching English as a Second Language and a Master degree in General & Applied Linguistics, with years of teaching experience in multiple countries at university level as well as in Australia, and trying to have recognition of prior learning was extremely problematic. I paid for an on-line course ($600) which offered no assistance at all with this....finally insulted and despairing, the time to complete the certificate lapsed. Fortunately a manager at work had previously been in charge of an education provider who issued the various certificates and he knew how to apply the recognition. I had to do only one unit in the end, but I paid another $600 to finally be given this certification. Without this I would not have been allowed to teach new migrants and refugees which was my strongest interest and heart's desire, but I can't tell you how angry, insulted and frustrated I was having to jump the hoops that it seemed were arrayed against me to actually go on to the teaching work I had most set my heart on. How many other really well qualified and experienced individuals simply give up with the process in disgust?! If the manager hadn't stepped in, I think I might have with many regrets. After so many years of university education and all my experience, I could not stomach not having my prior learning recognised.*

* *Ridiculous thing expired 3 months after I paid for the course - I am already a fully registered teacher and Education undergraduate with a degree; TAFE needs to get its head around RPL for Education degrees. I couldn't work for TAFE only volunteer - so I work in another sector - schools (EAL in Year 11/12) - what a joke!*

Teachers also lose their leave entitlements, as described here:

* *Currently having to do additional module TAEASS502 as directed by TasTAFE. Have had to take two weeks annual recreation leave to attempt to complete (most of) this.*

* *I have done the full upgrade, spent five weeks of the six-week holiday doing it, found it mentally exhausting and completely futile. It will have no impact on the way I teach or assess because it is irrelevant to language teaching/assessing.*

A frequent complaint from ACTA survey respondents was the inconsistency in advice received and the application of ASQA requirements, as described in this example:

* *ASQA RTO standards state that possessing a higher level adult teaching degree is sufficient where one doesn't possess the TAE40110/116. However there is ambiguity around what degrees are considered a higher level adult teaching degree. I possess a Masters of TESOL and other teaching degrees. While I can understand non adult teaching degrees, such as those specializing in primary/secondary teaching, not being sufficient, the fact that ASQA isn't able to provide a straight answer about what degrees constitute higher level adult teaching degrees is frustrating. I can state without hesitation that I learned little to nothing new when completing/updating the TAE qualifications. Furthermore I can state it was ridiculous and belittling to be asked to complete the now compulsory LLN component of the TAE, for the update to TAE40116, despite possessing a Masters' degree in precisely that area and having several years of industry experience in the LLN and foundation studies field.*

* *What a waste of time THAT is! Plus, I have recently obtained advice from ASQA that because I have a higher level qual specifically in adult education (ie, higher than AQF level 4), I actually am NOT required to have and to keep upgrading my Cert 4 TAE (but no-one ever tells you that!)*

ACTA has received credible reports that certification that ASQA requirements have been met can be purchased from some private providers.

ACTA questions the interests served by requiring teachers with superior teaching qualifications to hold this Certificate. As a quick Google search reveals, courses that grant it are a source of considerable revenue for VET providers. These fees are borne by some TAFE providers and by individual teachers employed by private providers.

9.4 Employer requirements

The problems documented above are exacerbated by varying employer requirements and interpretations of ASQA requirements. As one ACTA survey respondent wrote:

> I haven't upgraded for 2019 because my employer agrees that ASQA recognises Grad Cert in TESOL as adult teaching qualification for AMEP.

ACTA hopes that the Evaluation can arrive at recommendations that will address these problems.

9.5 LWA auditing of qualifications requirements

Problems in the auditing of qualification requirements were extensively canvassed in the Sydney ACTA forum and summed up in the Notes as follows:

> Qualification auditing by LWA and others is problematic because some auditors don't have an understanding of relevant qualifications in TESOL. NEAS's loss of the QA contract has had an adverse impact on recognition of teachers' qualifications. LWA's list only includes current qualifications. But over time universities have changed the names and structure of their qualifications. Auditors need to understand the actual content of qualifications. Some highly experienced teachers with good qualifications from years past are being told their qualifications aren't recognised. This is incredibly stressful.

A document tabled at this forum elaborated:

> Qualification requirements have proved difficult to implement, to monitor and to audit. The current QA process is simplistic, ad hoc and ill-informed in relation to teacher qualifications, often relying on the name of the qualification itself to inform the auditor of whether or not a person is qualified. This misses the fact that many TESOL qualifications, particularly older qualifications or those gained overseas, often do not have TESOL or adult education in the qualification name – e.g. Master of Education, Master of Educational Studies, Master of Letters, Master of Arts. The Department now recognises this and has started to build a list of suitable qualifications but it is incomplete.

> Transcripts of study are not examined and they should be. There are no guidelines as to what the essential components of TESOL study should be. There has been no consultation of relevant TESOL academic experts, e.g. ACTA, to ascertain the essential areas of study in a TESOL qualification.

> Qualifications need to be sufficiently rigorous to ensure that teachers on the program are properly trained so as to deliver the best for the students. But the qualifications requirements cannot be too onerous so as to exclude capable teachers, particularly for rural and remote areas where the program still must be delivered, or for people who have taught on the program for a long time already.

9.6 ACTA recommendations on qualifications

As an interim strategy, ACTA endorses the LWA recommendations 1 – 7 and Table 17 on teacher qualifications (see Appendix C). However, we believe contact hour requirements should be included (100 hours minimum).

In regard to difficulties in finding qualified teachers in rural areas, ACTA would support the requirements currently applied to the social English stream, namely, enrolment in an acceptable TESOL qualification together with demonstrated progress in this course. Various universities offer on-line and distance and some others are willing to negotiate on-line provision.[111] ACTA strongly

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[111] For example, https://www.masterstudies.com/Master-of-Arts-(TESOL)/Australia/Bond-University/ See also

supports offering incentives to recruit qualified teachers and support for teachers gaining or upgrading TESOL qualifications.

The LWA report recommended against acceptance of the Cambridge Certificate in TESOL/CELTA because it is directed to teaching overseas students and does not have a degree pre-requisite. However, this Certificate and its higher Diploma have a very high professional standing and rigorous QA procedures. The Trinity Cert TESOL is similar but not so widely known. ACTA believes that further work is required to specify appropriate bridging requirements for those holding the CELTA, DELTA and Trinity Cert TESOL together with a recognised Bachelor's degree.

In addition to endorsing the LWA recommendations 1-7 on teaching qualifications, ACTA's recommendations are as follows.

> **Recommendation 24**: All teachers in the AMEP should hold an Australian Bachelor's degree or equivalent and a postgraduate qualification in TESOL.
>
> **Recommendation 25**: The NEAS scheme for endorsing TESOL qualification providers should be investigated and consideration given to how it might be adopted/accepted for future AMEP teachers.
>
> **Recommendation 26**: Further work should be done to determine appropriate bridging requirements for degree holders with the Cambridge Certificate in TESOL, the Cambridge Diploma in TESOL and the Trinity Cert TESOL who wish to teach in the AMEP.
>
> **Recommendation 27**: The VET Certificate IV in Teaching & Assessment should not be required for any teacher in the AMEP (or SEE Program) if they hold a teaching qualification at a higher level.
>
> **Recommendation 28**: The requirement that teachers hold a qualification in adult education should be met by a single unit in adult learning within or in addition to a postgraduate qualification in TESOL.
>
> **Recommendation 29**: The CSWE and the EAL framework should be ruled as acceptable for use in the AMEP, while the CSL and CEP should not be accepted because (i) they are inappropriate for teaching English for settlement, and (ii) do not require teachers to hold a TESOL qualification.

10. The funding model *(requirement 1i)*

As already noted, providers are paid for students' hourly attendance in classes (section 7.1). This funding model rests on the proposition that services are delivered only when students are present in the classroom. It ignores the on-going costs in delivering an educational program. Irrespective of individual student attendance at any given hour, teachers are paid to teach whole classes, infrastructure must be maintained, rent must be paid on buildings, and so on. This funding model imposes an extreme level of insecurity on providers regarding the resources on which they can rely.

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https://www.neas.org.au/teaching/endorsed_elt_qualifications_providers/ where Griffith University is listed as offering an on-line Master of TESOL.

To compensate for this insecurity, providers' prime concern has become maintaining the maximum number of students permitted by the contract in any one class (20 for pre-employment and 25 for social English). This concern over-rides all other priorities, including forming classes with relatively similar English and educational levels, classes to meet specific learner groups (e.g. youth, women, the elderly, fast-track learners). The following comment exemplifies many responses to the ACTA survey question on class sizes:

* *I think the RTOs care about money, revenue, dollars on the seats and profits only. They don't care if the trainers can teach a group of mixed levels students or not. All they care is how many students come a day and how much money we earn for them a week. I have never seen anything like "tailoring to the individual needs". It is a big lie!*

* *The driver is numbers on seats on any given day to meet financial bottom line of average attendance 22 students per day.*

* *I know there is a big worry in management about the "break even" point financially, and the fact that the govt won't pay for a student who is absent. I am not sure, but it's my impression that this is regardless of the student's excuse. That means the list on the roll has to be huge in order to break even, which is NOT good for good teaching.*

* *It is 'bums on seats' that seem to matter most to management/institute given it always seems to be about 'money'. I have had to teach between 40 to 60 students per term since term 2, 2017. This occurs also because of 'rolling intakes' where a new student arrives to replace a student who leaves or finishes AMEP hours. There is never enough time for the teaching-learning cycle. The amount of paper work to do for each student is onerous.*

The Sydney ACTA forum Notes describe how this funding model has eroded provision:

> There has been **a loss of AMEP providers in areas with less demand**, such as the Illawarra and the NSW South Coast. No provision because the providers can't make a profit. Many students there aren't eligible for Smart & Skilled ESOL programs.

Some providers collapse and recombine class groups as soon as numbers drop even on a daily basis. For-profit providers apply these strategies ruthlessly and unconstrained by any concern for educational quality (see section 9.1 above). For a teacher who attended one of the ACTA forums, this process was the straw that broke the camel's back:

> *Since the … forum, the situation at Navitas has become intolerable. My Level II/III class of 14 students (deemed too small), more than doubled overnight to a multi-level class of 30 on the roll (and, so far, between 24-27 students in actual attendance). This was brought about because of small numbers in the two highest level classes and then the resignation of one of the teachers of the other class. The co-teacher of that class immediately lost two days of work a week.*

> *Of course, all the students were extremely upset about the change (as were the teachers), and I spent a couple of days just trying to manage the fallout as best as I could (with a great deal of help from my manager). Added to our woes was the fact the internet was barely functional - not even the Navitas phones were working, as they are connected to the internet. We were simultaneously being put under a lot of pressure to get our TAE updates sorted, or potentially lose our jobs on April 1. I hadn't even started on that. (I note that all VET staff have now been given a reprieve, with upgrades now due in July).*

> *I ended up having a minor panic attack one evening over the current state of affairs and, as a result, have finally decided to quit AMEP altogether. Next week will be my last. I am very upset about this, as teaching in AMEP was once my dream career. However, as it is now, there is no future in it, and as I absolutely despise Navitas, I can't continue to support them as an organisation. I've consoled myself with the thought that I can always do volunteer teaching for MARRS or the ASRC at some point later. In the meantime, I've applied for a few non-teaching jobs, and have an interview for one next week.*

> *... [name] has also resigned from her position as Academic Team Leader and several of the other really good teachers have stated that they are leaving, too. It feels like the whole place is falling apart.*

Aside from undermining provision targeted to student needs and aspirations, this method of payment incentivises providers to cut costs by employing a teaching force that is casualised or on very short term contracts, exploiting teachers and managers with demands for excessive amounts of unpaid overtime (see section 7.5) and minimising provision of infrastructure (classrooms, resources and equipment, building maintenance). We have documented these issues at length in our recent submission to the VET Review.[112] Of course, none of these issues can be considered independently from competitive contracting for the AMEP. We take up this issue in our final section below.

ACTA believes that it must be possible to devise a less brutal funding model that, on the one hand, acknowledges the considerable variability in student attendance in classes and, on the other, is less rigid and punitive for providers. We commend this problem to the Evaluation team and their expertise in this area. Our recommendation is as follows.

> **Recommendation 30**: Payment to providers on the basis of students' hourly attendance must be modified to reduce the perverse incentives to maintain maximum class sizes irrespective of student English and educational levels and specific learning needs.

11. The "multi-provider service delivery model" in the context of competitive contracting *(requirement 2)*

11.1 The "multi-provider model"

By "multi-provider service delivery model" is meant that two providers are located in the same contract region and compete for AMEP students. The current contract is trialling this model in one Sydney region, now served by both Navitas and TAFE NSW. As reported at the Sydney forum:

> The collaboration that existed between TAFE and NAVITAS in the previous contract has now disappeared due to the multi-provider model, which has put the two providers in competition. Previously Navitas held the AMEP contract and TAFE provided a pathway into VET. **Now they compete and there is little room for co-operation.**
>
> So does this provide choice for students?
>
> **The claim that AMEP clients choose provider is not valid.** More often than not, AMEP students are unable to make an informed choice due to their English language proficiency and knowledge of the system. The choice is made for them by referring agencies such as humanitarian settlement services and Job Active providers. The latter frequently work without interpreters so the client has no clue as to why they are referred to Navitas or TAFE NSW.

This account provides an entirely plausible reason for not extending this model when contracts are awarded through competitive tendering. As was said in the Sydney forum, a multi-provider model would be fine if providers were not in competition with each other. They would much prefer to collaborate.

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[112] http://www.tesol.org.au/Advocacy/ADULT-EAL-NEWS-AND-ISSUES#VET_Review

11.2 The current form of competitive contracting

The Government policy from which the current model of contracting for the AMEP and SEE Program is derived, was re-articulated in the 2013 Harper Review of Competition Policy. In regard to the provision of "human services", the following recommendation was made:

> When applying the competition principles, all governments should subject regulation to a public interest test to ensure that **governments do not restrict competition unless it is in the overall community's interest to do so, and that there are no other means by which the policy can be achieved.**[113] (our emphasis)

ACTA submits that the allocation of AMEP (and SEE Program) contracts through intense competition between providers does not serve the Australian community's interests at the macro- or micro-levels.

At the macro-level, it is not in the Australian public's interest that what is taught in the AMEP is now determined by competition to cut costs (section 8.3). This content is a cornerstone in Australia's successful immigration program. It provides unique opportunities for newly arriving migrants and refugees to acquire the English and associated experiences that support their settlement here and their engagement with the Australian community.

It is not in the public interest that an exemplary Melbourne program for refugee youth with minimal/no previous schooling has disappeared because that provider's overall tender for the AMEP could not compete on costs with a rival provider's.

At the micro-level, it is not in AMEP students' interests that their tuition has been reduced to assessment tasks. It is not in their interests that these tasks are inappropriate but cannot be questioned because they are enforced through an Attainment KPI that supposedly measures competing providers' performance. It was not in the interests of the two AMEP students who drowned this summer coincidentally with their Centres' dropping a 'safety at the beach' component in order to satisfy the audits that impose these assessments. It is not in the interests of AMEP teachers and managers to live under the threat of losing their jobs if they do not comply with requirements that violate their deepest professional beliefs about what they should teach and how they should assess their students.

At both levels, it is in no one's interests that the auditors obtained their contract through a competitive process that eliminated a respected Quality Assurance provider with no interest in the maintenance of the current audit mechanism. It is in no one's interests when the cost of discarding expensive and functioning infrastructure (curriculum, assessment tools and a data management system) is hidden to meet the misinformed requirements of the new contract. It is in no one's interests that AMEP Centres have become toxic workplaces because of the pressures to conform to these competitively awarded contracts. It is in no one's interests that compliance requirements legitimated by competition is causing dedicated and experienced teachers to quit and driving down standards, professional knowledge and skills in teaching English to immigrants in Australia.

Collaboration – not competition – is integral to how teachers relate to their students, fellow teachers and managers. Teachers *like* collaborating with their students and with each other! It motivates them.

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[113]https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook45p/Competition Policy

Collaboration rests on trust. In contrast, distrust is inherent in the current competitive model and drives the ever-increasing focus on compliance. Although the ACIL Allen Review recommended decreased compliance, it has increased exponentially. Once embarked on that path, it is hard for government officials to turn back.

The effect of competition on educational programs is to undermine precisely the dynamic that drives quality. **It is in no one's interests that we are witnessing the mindless application of competitive principles to the AMEP, a settlement program that once led the world.**

In regard to the Evaluation *Statement of Requirements*, the current competitive model is antithetical to efficiency and effectiveness in the use of taxpayers' funds supporting the AMEP. The Harper recommendations call for transparent competition principles. There is no transparency in "commercial-in-confidence" protections that hide the time, and therefore salary costs, devoted to preparing tenders, reportedly between a year and eighteen months, and the time devoted assessing them, generally three to six months. Competition perversely incentivises both providers and the Department to hide other costs by not accounting for them and/or shifting them elsewhere, as we have seen has occurred with curriculum development. Other uncosted infrastructure is described in the Sydney forum Notes:

> Student services such as counselling, disability and library access, amongst others are offered to AMEP students (as TAFE Students) although not costed or required by the AMEP contract. While not required by the contract, these services have been essential in supporting the students with their settlement, particularly counselling and disability services. Change-overs give rise to massive waste e.g. dumping of resources, computers given away, new venues hired or built. Dumped providers hire their rooms to new providers at higher cost.

The costs of the disruption when providers change are never accounted for. The Sydney forum Notes describe the following:

> It's a problem when students move from one provider to another when a tender is lost or gained. Students get very stressed about the disruptions, going to a new place, etc. etc. Some drop out. They have already experienced major disruptions in their lives and so the impact can be large.

> Students from trauma backgrounds experience disruption and uncertainty – just getting comfortable in one place and then everything changes and they have to go to the new places. They suffer again. The disruption has far-reaching consequences for students, for example with child care arrangements.

> **Constant competition/tendering doesn't work for anyone, the teachers included**. Teachers moving from one provider to another following the contracts is incredibly difficult because they have to learn a new working environment, administration and culture. It's a different situation with each provider. It impacts on the quality of program delivery, skills, resources, systems, facilities are lost. Getting student records across to a new contract holder is a major headache.

A graphic description of the start of a new contract comes from a respondent to the ACTA survey:

> *Max Solutions took over the contract in Launceston in July 2017 and was wholly unprepared. The time I spent there was largely 'putting out fires' - bringing compliance documents up to standard, ensuring buildings and classrooms were fit for purpose, ensuring that teachers had documented that they had the relevant qualifications etc. There was no staff room so teachers were bombarded with student enquiries and administrative tasks during break times (no student counsellor to handle students who were agitated at the lack of facilities). No dedicated workspace or bank of computers for teachers to use. There was one office with two computer terminals that were constantly in use by others. Teachers were allowed to use Google Chromebooks but these did not have a printing function, so the most efficient*

way for me to do class prep was to save lesson plans, handouts etc to Google Drive and then print them from home, then bring them back the next day to photocopy. We were expected to do AMEP assessments of up to two hours, several times a week on top of a 25 hour per week teaching load and staff meetings, leaving virtually no time for lesson planning and preparation on-site. I was constantly stressed, management were panicky about not being compliant, and it was overall quite a toxic environment. Colleagues and collegiate support were great, but that's because we were all suffering together.

Eventually Max Solutions had some things in place, but on the first day there were no toilets/kitchen available for students to use and they were told to go across a busy road and use the public library across the street. There was nothing in the way of recreational facilities for students but by about Week 6 they had an open area upstairs for students to use during break time. Staff facilities were shared with general Max Employment staff and I think some staff were a bit put out at having their space invaded. Classrooms had to be built during the first few weeks which meant many students had to suspend their studies while construction was going on. The classroom I taught in was pretty cramped for the 20-25 youth students I had. There were banks of Chromebooks available for use in class but I had to negotiate with other class teachers to use them but there was no booking system so it was essentially first in best dressed. No smart boards, had to haul in a projector and set it up in a cramped classroom. Admin was essentially a single desk in the foyer. As per my previous comment, no staff room and no place to get away from students, and admin staff would try and 'catch' me during lunch break to answer questions. I would literally dash out the door during my lunch break so that I could just be alone and in a quiet place for 30 minutes.

This disruption has been a continuing feature of new contracts. In 2001, the Australian National Audit Office recommended:

> that DIMA [= the Department of Immigration & Multicultural Affairs] improve strategic management and coordination for the AMEP to more effectively manage contracts, administration and outputs by systematic planning for contract succession to ensure that there is a smooth, efficient and effective transition at the end of the contract for either an extension of the existing contract with any revised service levels, or for selection of a new provider.[114]

Nearly twenty years later, this disruption continues. ACTA believes that this history proves it is inevitable.

We note that the ANAO audit concluded that no appreciable savings had followed from the shift to competitive contracting in 1996:

> **1.44** DIMA undertook baseline costing for AMEP prior to contracting out, costing the program at $98.565 million in 1996–97. At that time there were 40 366 AMEP clients in the program, representing a cost of $2531 per participant at 1999–2000 prices.

> **1.45** In 1999–2000 the total program cost was $93.858 million including departmental costs, but excluding the cost of the Special Preparatory Program and the Home Tutor Scheme Enhancement Program. This was an average cost of $2612 for the 34 969 AMEP clients.

> **1.46** Thus, the per capita cost of the contracted out arrangements is similar to those they replaced.[115]

We also note the dramatic drop in participation since this audit – from 40,366 clients in 1996-97 to 29,324 in 2018 (see section 4.1 above).

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[114] The Auditor-General (2001). *Management of the Adult Migrant English Program Contracts*. Audit Report No.40 2000–2001, Performance Audit. Australian National Audit Office 2001, recommendation 2, p. 28.

[115] ibid, pp. 44-45.

We hope that the current Evaluation can update the figures on cost per participant, discounting the savings from the Commonwealth vacating the curriculum space.

At the Melbourne ACTA forum, participants reported on the success of Melbourne Polytechnic's management of their current AMEP contract. They described how dispersed local Centres are supported by a dedicated, experienced and knowledgeable central team. There is no guarantee that the next contract round will not wipe all this achievement away, just as happened when Melbourne Polytechnic gained this contract in competition with AMES Australia, wiping out its innovative and quality provision, including, as we have already mentioned, its exemplary youth program developed over more than ten years.

In numerous previous submissions, ACTA has proposed that the current competitive contracting model be radically revised to become less costly, more transparent and better directed to quality provision. Our recommendation is below.

Recommendation 31: The award and monitoring of contracts for the AMEP and SEE Program should be streamlined and modernised on risk-based principles as follows:

Overall provider performance should be assessed annually and rigorously by independent assessors on a 5-point performance ranking scale, viz.:
>   A = outstanding performance
>   B = good performance
>   C = satisfactory performance
>   D = somewhat unsatisfactory performance
>   E = unsatisfactory performance.

Providers scoring C or below more than once in any 3 year period should be asked to show cause as to why their contract should be re-opened for tendering.

Providers who consistently score A or B should not be required to compete for new contracts until a new 10-12 year cycle.

New tenders for all provision should be called every 10-12 years.

The provider assessment scale should be determined in relation to KPIs devised by DET in collaboration with providers and independent external experts in public administration and English language teaching and assessment. A research project should be instigated to investigate and develop effective and viable KPIs for the next round of contracts.

Provider assessments should be undertaken by a completely independent, expert body (for example, NEAS) with no other role in AMEP provision. The assessment team should include at least one outside expert in TESOL and another in public administration. Assessments should include classroom observations and interviews with students, teachers and managers.

Conclusion

In the Foreword to *New life, new language: The history of the Adult Migrant English Program* (1998), the then-Minister for Immigration and Multicultural Ideas, the Hon. Philip Ruddock, wrote:

> … the AMEP is proud to be more than just a language program. It is a major settlement tool, enabling students to avoid the isolation which comes from being unable to communicate. You only have to visit an AMEP classroom to understand what an important role it plays in easing recently arrived migrants into their new environment – the practical advice and information provided by teachers, the lively multicultural atmosphere where tolerance is both necessary and appreciated, the opportunities for friendship during what can be a very lonely and bewildering period in a person's life, and of course the chance to learn and practise new linguistic and cultural skills in an encouraging and non-threatening environment. It gives me great pleasure, as Minister for Immigration and Multicultural Affairs, to be associated with this history of the AMEP, a fascinating record of the people and policies that have made the AMEP what it is today, a world leader in adult language learning.[116]

The "new business model" has ignored the goals, qualities, values and pride that made this description possible. In taking over management of the AMEP, the Department of Education and Training has "aligned" the Program not only with the confused goals of its SEE Program but also with its policy assumption that pursuing narrow employment outcomes should govern the Program, and that other goals are peripheral. This assumption is so taken-for-granted that the current *Statement of Requirements* for the AMEP Evaluation contains no criteria by which to "determine the appropriateness, effectiveness and practicality" of the aspects of the AMEP under examination. "Improved outcomes for AMEP clients" are reduced in other documents, for example the 2018 LWA report on curriculum, to the impoverished goal of achieving "functional English".

The silence about settlement goals is clear if we compare Philip Ruddock's description of the AMEP to the "new business model". The priority in the "new business model" is to bring the AMEP into conformity with the Department's existing compliance mechanisms, the "delivery" of "training packages" in the VET sector and a reliance on market forces to drive down costs. The "new business model" does not trust providers or teachers, so compliance is everything. The "new business model has no place for educational or social ideals and no place for the professional collaboration, trust and commitment that was the underpinning of Australia's world leadership in adult English language learning. Teachers' knowledge, skills and commitment are valuable only in so far as they can be exploited to assist the Commonwealth in shifting costs and abdicating its responsibilities for this crucial national Program.

The "new business model" is bankrupt in its lack of understanding of what is appropriate to an educational and social program such as the AMEP (or the SEE Program) and what practices make education effective. Its compliance requirements are so far from being appropriate, effective and practical in teaching English to adult migrants and refugees that they cannot be met. Its reliance on the ACSF fails the most basic criteria for best practice KPIs.

The result is that a relatively robust, valid and reliable accountability system, developed and paid for by taxpayers, has been discarded and replaced by a mirage. Reports against the AMEP's KPIs are fictions. These fictions are generated, maintained and audited in a vicious cycle that is contaminated by conflicting interests – on the one hand, the interests of competing providers in not questioning these KPIs, and the interests of the auditor in installing and supporting these fictions, and on the

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[116] https://trove.nla.gov.au/work/9483209

other hand, the interests of teachers in reducing the unreasonable demands on their time, and the interests of students in demonstrating the behaviours necessary to stay in the Program.

ACTA hopes that the current independent Evaluation will bring fresh eyes to the processes that are currently destroying the AMEP. We hope that these fresh eyes will lead to proposals to clarify and strengthen the goals, roles and operation of both the AMEP and the SEE Program, including but going beyond facilitating diverse learners' access to mainstream training and education, and employment that satisfies their aspirations.

We look forward to concrete proposals that will end the current duplication and dysfunction currently preventing adult migrant English language learners from proceeding on smooth and fulfilling pathways towards participation in the life of their adopted homeland – proposals that make the AMEP an effective, high quality first step for new settlers in engaging fully with and contributing to Australia's rich multicultural, multilingual society.

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Appendix A:
ACIL Allen Table 3 - Preliminary mapping of LLN and ESL courses and test bands to ACSF

Table 3 Preliminary mapping of LLN and ESL courses and test bands to ACSF

Australian Core Skills Framework (ACSF)	Certificate in Spoken and Written English (CSWE)	International English Language Testing System (IELTS)	International Second Language Proficiency Ratings (ISLPR) General	Test of English as a Foreign Language (TEOFL)	Canadian Language Benchmarks	Certificate in General Education for Adults (CGEA)
Level 1	Preliminary Course in SWE (partial) Certificate I (broad)	0 Did not attempt test 1 Non user 2 Intermittent user	0 Zero proficiency 0+ Formulaic proficiency 1- Minimum 'creative' proficiency	0-8 9-18 19-29	CLB 1 Initial basic CLB 2 Developing basic	Course in Initial General Education for Adults (broad)
Level 2	Certificate II (broad)	3 Extremely limited user	1 Basic transactional proficiency	30-40	CLB 3 Adequate basic	Certificate I Introductory
Level 3	Certificate III (broad)	4 Limited user	1+ Transactional proficiency	41-52	CLB 4 Fluent basic	Certificate I
Level 4	Certificate IV (broad)	5 Modest user 6 Competent user 6.5	2 Basic social proficiency 2+ Social proficiency 3 Basic vocational proficiency 3+ Basic vocational proficiency plus	53-64 65-78	CLB 5 Initial intermediate CLB 6 Developing intermediate CLB 7 Adequate intermediate CLB 8 Fluent intermediate	Certificate II (broad) Certificate III (partial)
Level 5		7 Good user	4 Vocational proficiency	79-95	CLB 9 Initial advanced CLB 10 Developing advanced	Certificate III (broad)
		8 Very good user	4+ Advanced vocational proficiency	96-110	CLB 10 Developing advanced CLB 11 Adequate advanced	
		9 Expert user	5 Native level proficiency	111-120	CLB 11 Adequate advanced CLB 12 Fluent advanced	

Source: ACSF; http://islpr.org/why-use-islpr/summary-of-islpr/, viewed 10 November 2014; http://www.ielts.org/institutions/test_format_and_results/ielts_band_scores.aspx, viewed 10 November 2014; Canadian Language Benchmarks 2012 edition; *Implementation guidelines: Certificates in General Education for Adults*, DEECD 2014.

Appendix B:
Report from the AMEP National Working Group *Using the ACSF in the AMEP*

We write as members of the National Working Group regarding use of the ACSF in the AMEP. Our criticisms are directed to the continuing and fundamental problems created by this reporting instrument when assessing English language learning outcomes. We are in no way critical of LWA and their professionalism as the quality assurance auditor for the AMEP.

The problems are as follows:

1. The ACSF is not suitable for English language learners especially at lower levels:

- **it assumes the learner speaks English** and therefore does not track skills relevant to those who do not speak English
- **ACSF indicators do not map the stages learners go through and the strategies they use** in learning English as a second/other language
- **ACSF indicators are often impossible to apply** because many focus on underlying cognitive processes; requiring the assessor to infer these (which is unreliable) and/or the learner to explain these processes, which they can't do in English.

2. The ACSF does not relate to the curriculum taught in the AMEP:

- the CSWE has been developed and repeatedly revised and updated for teaching adult migrants over the past twenty or more years; its indictors and outcomes are based on second language learning and teaching research and practice
- the ACSF **does not map learner progress in this or any other accredited curriculum** for English language learners
- the ACSF indicators often relate to **low priority or irrelevant aspects of learners' progress**
- 'translating' outcomes from the CSWE into ACSF indicators requires **considerable expertise, time and extensive investment in moderation processes** to gain some measure of reliability
- the current translation work being done meets none of these criteria, consequently **the data generated from ACSF assessments is totally unreliable**.

3. Using the ACSF is massively diverting teachers from their core task of teaching English:

- **'translating' learner progress into ASCF indicators** is taking up massive amounts of teacher time and, in respects at least, wasting it on irrelevant issues
- because of the workload involved in reporting using the ACSF and because it does not relate to curriculum in the AMEP, it is becoming a de facto curriculum, which is **diverting teachers from what they need to teach**
- coupled with continuous enrolment and the requirement to report on up 20 or more learners at individual points in their entitlements (200 and 40 hours), **the workload is impossible.**

4. Using the ACSF is unnecessary:

- learners completing their AMEP entitlements and proceeding to further English language and/or vocational training **are always assessed on entry to particular courses**
- **their ACSF score is not required** by providers in the States and Territories.

Appendix C:
An Example of the Focus on Employment in Teaching

Program Plan Support for July to September 2018 AMEP Pre-Employment Stream

Program Plan for full time 20 hrs.per week AMEP Pre-Employment stream 23 July to 28 September 2018 (to be adapted by colleges for PT)

Week of course Based on CSWE II and III, FSK Cert I (Skills) and ACSF L2 & L3. Planning must customise for spiky profiles to be assessed above and below the stated class level	Week 1 My vocational pathway	Week 2 My vocational pathway	Week 3 My vocational pathway	Week 4 Workplaces in Australia	Week 5 Workplaces in Australia
Learning strategies and focus	Needs analysis and focus on Learning and digital literacy	Needs analysis for new sts and focus on Learning and digital literacy		Needs analysis for new sts and focus on Learning and digital literacy	
Project Based Learning cycle	Identify & start project or mini project for topic	Continue project or mini project/tasks	Possible final week of theme based project or tasks	Identify and start project or mini project for topic	Continue project or mini project/tasks
Assessment of both ACSF & curriculum	Formative assessment	Formative assessment	Formative and summative assessment	Formative assessment	Formative assessment
Assessment performance evidence	electronic evidence of formative and summative performance	electronic evidence of formative and summative performance	electronic evidence of formative and summative performance saved in e-portfolios	electronic evidence of formative and summative performance	electronic evidence of formative and summative performance
Planning for 200 hour progressive assessment	1. For continuing students, check summary reports for partial achievements (P) and review IPGs and portfolios, noting unreported performance evidence (CSWE & ACSF) to build on. 2. Encourage students to file evidence from relevant classroom activities as formative assessment in their hard copy portfolios (automatic on Canvas) 3. For (FT) students who meet 200 hr milestone in this 3 week period, give an opportunity before the end of the topic to complete CSWE and ACSF summative task/s to meet contractual KPIs. 4. For other students, conduct formative assessment and give summative assessment tasks at the end of topics only if they are likely to succeed or if sts request them.			1. For top up/returning students, check summary reports for partial achievements (P) and review portfolios for any unreported performance evidence (CSWE & ACSF). 2. Encourage students to file evidence from relevant classroom activities as formative assessment in their hard copy portfolios (automatic on Canvas) Cont next column	
Course evaluation (by students, teachers and manager)	Formative evaluation *informal with teacher and students. (E.g. Are they happy with class?)*	Formative evaluation *informal with teacher and students.*	Formative evaluation *informal with teacher and students.*	Formative evaluation *informal with teacher and students.*	Mid-course evaluation *semi-formal with teacher/manager and students.*

Week of course Based on CSWE II and III, FSK Cert I (Skills) and ACSF L2 & L3. Planning must customise for spiky profiles to be assessed above and below the stated class level	Week 6 **Workplaces in Australia**	Week 7 **Workplaces in Australia**	Week 8 **Managing money**	Week 9 **Managing money**	Week 10 **Managing money**
Ongoing focus on Learning strategies	Needs analysis for new sts and focus on Learning and digital literacy digital literacy	Needs analysis for new sts and focus on Learning and digital literacy	Focus on Learning and digital literacy	Focus on Learning and digital literacy, self-assessment and goal setting
Project Based Learning cycle	Continue project or mini project/tasks	Possible final week of theme based project or tasks	Identify and start project or mini project for this topic	Possible final week of theme based project or tasks	Course closure, final assessments etc
Assessment of both ACSF & curriculum:	Formative assessment	Formative and summative assessment	Summative assessment	Summative assessment	Summative assessment (catch up)
Assessment performance evidence	electronic evidence of formative and summative performance saved in e-portfolios	electronic evidence of formative and summative performance saved in e-portfolios	electronic evidence of formative and summative performance saved in e-portfolios	electronic evidence of formative and summative performance saved in e-portfolios	Finalise ePortfolio content and cover sheets for transfer as needed
Planning for 200 hour progressive assessment	Cont from previous column 3. For (FT) students who meet 200 hr milestone in this 4 week period, give an opportunity before the end of the topic to complete CSWE and ACSF summative task/s to meet contractual KPIs. 4. For other students, continue formative assessment and give summative assessment tasks at the end of topics only if they are likely to succeed or if sts request them.		1. For top ups/returning students, check summary reports for partial achievements (P) and review portfolios for any performance evidence unreported from previous period (curriculum and ACSF) 2. For all students, provide opportunities to complete summative assessment tasks for both CSWE and ACSF before the end of term.		
Course evaluation (by students, teachers and manager)	Formative evaluation *informal with teacher and students.*	Formative evaluation *informal with teacher and students.*	Formative evaluation *informal with teacher and students.*	Formative evaluation *informal with teacher and students.*	Summative evaluation – formal - student satisfaction survey and teacher/manager evaluations

Appendix D:
LWA recommendations on teacher qualifications[117]

Below is the full set of LWA recommendations. ACT does not endorse Recommendations 8 and 9.

Recommendation 1:
TESOL qualifications must result from a course of study in which course content covers the grammar of the English language, language learning and TESOL methodology. A teaching practicum of at least 60 hours of teaching practicum is recommended.

Recommendation 2
TESOL qualifications – an undergraduate teaching degree and a suitable postgraduate TESOL qualification with an adequate teaching practicum should remain mandatory as per the AMEP SPIs.

Recommendation 3:
Overseas TESOL qualifications need to be thoroughly assessed by the appropriate Government institutions, for AQF equivalency and detailed assessment of the qualification academic transcript and subject matter.

Recommendation 4:
Clear guidance and information needs to be available to the AMEP Providers when employing teachers with overseas TESOL qualifications, e.g. who can assess or recognise overseas TESOL qualifications and to what degree of detail *(See Appendix 4)*.

Recommendation 5:
Overseas TESOL qualifications deemed suitable by VETASSESS for immigration purposes only cannot be accepted as recognised TESOL qualifications unless assessed by the appropriate Government institutions where the academic transcript is examined.

Recommendation 6:
A thorough understanding of the TESOL acronym is needed by the Government institutions, higher education institutions and providers to avoid confusion and misinformation.

Recommendation 7:
Qualifications such as Certificate in Teaching English to Speakers of Other Languages (CELTA), Royal Society of Arts Certificate (RSA) or similar that are obtained after a short, intensive four-week course either overseas or in Australia are deemed unsuitable as TESOL qualifications in the AMEP context. They do not meet ASQA curriculum requirements, they focus on teaching English as a foreign language and provide insufficient training for AMEP client language acquisition needs.

Recommendation 8:
Consideration needs to be given to recruitment of teachers in regional and remote areas. Consideration should include the following:
- potentially suitable qualifications obtained;
- years of teaching in the adult sector and/or AMEP;
- substantial teaching experience in AMEP and/or other adult learning settings and/or foundation skills programs;
- the choice of a suitable foundation skills curricula;
- an offer of LLN Scholarship courses funded by DET.

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[117] SQ18-000100, Senator Doug Cameron Question on Notice, Supplementary Budget Estimates 2018-2019, LWA (June 2018). *AMEP Curricula and Teacher and Assessor Qualifications Guide*. Created for Dept. of Education & Training, pp. 84-85.

Recommendation 9:
When assessing teacher/assessor TAE requirements, providers need to adhere to the revised Standards for Registered Training Organisations that will take effect from 1st April 2019.

Table 17 TESOL qualifications suitability matrix – an overview of suitable, potentially suitable and unsuitable qualifications based on the research of both domestic TESOL and overseas TESOL qualifications

Qualifications	Suitable	Potentially suitable	Unsuitable
a 4 year Bachelor Degree with TESOL Method	✓		
a 3 year teaching undergraduate degree in methods other than TESOL & a postgraduate TESOL qualification	✓		
a 3 year non-teaching undergraduate degree & a postgraduate TESOL qualification	✓		
Graduate Certificate in TESOL	✓		
Graduate Diploma in Applied Linguistics and TESOL	✓		
Graduate Diploma in TESOL and Foreign Language Teaching (AMEP and SEE specific)	✓		
Master of Education (TESOL)	✓		
Master of Applied Linguistics and TESOL	✓		
Graduate Certificate in Applied Linguistics and TESOL	✓*		
Graduate Certificate in Education (TESOL)	✓*		
Graduate Diploma in Educational Studies (TESOL)	✓*		
Graduate Diploma of Education (TESOL)	✓*		
Graduate Diploma in TESOL	✓*		
Master of Applied Linguistics (TESOL)	✓*		
Master of Arts (TESOL)	✓*		
Master of Education (TESOL)	✓*		
Master of TESOL	✓*		
Overseas TESOL Qualifications	**Suitable**	**Potentially suitable**	**Unsuitable**
Cambridge CELTA			✕
Delta			✕
TEFL Certificate			✕
RSA Certificate			✕
Master of English Literature			✕
Master of Philology			✕
PhD in Philology			✕

*must include teaching practicum