



THE AUSTRALIAN COUNCIL OF TESOL ASSOCIATIONS (ACTA)

PROPOSALS FOLLOWING THE RELOCATION OF THE ADULT MIGRANT ENGLISH PROGRAM TO THE DEPARTMENT OF HOME AFFAIRS

17 June 2019

The Adult Migrant English Program has been a foundation of Australia's successful post-War immigration program since it began in 1948.

This paper seeks to offer positive proposals to overcome existing problems and restore the Program to its crucial role in promoting the settlement of migrants through the development of their proficiency in English.

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Preamble: Urgent problems and ACTA's hopes

The Australian Council of TESOL Associations (ACTA) welcomes the opportunities offered by the assumption of responsibility for the Adult Migrant English Program (AMEP) by a new Minister with fresh perspectives and whose portfolio allows a specific focus on migrant services.

ACTA believes that this change has the potential to remedy fundamental problems that have come to crisis point under the administration of the Department of Education and Training.

The change of portfolio responsibility permits a fresh in-depth examination of how the AMEP might best fulfil its role. The most recent clear description of this role was in the 2015 ACIL-Allen Review:

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)

“Settlement” is described 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)

ACTA strongly supports this statement of the AMEP's role.

The AMEP is currently being reviewed by the independent consultants, Social Compass, whose report is imminent. Their review cannot but document the problems to which we have just referred. ACTA awaits its recommendations with great hope.

However, the most egregious of the problems in the AMEP require urgent remedy. They are *daily* taking their toll – to the point where both students and teachers are leaving the Program in frustration. The flow-on effects are also extending and becoming more entrenched every day.¹

In the interim, while the Government considers the Social Compass review, ACTA respectfully requests the Minister to flag *immediately* that he is aware of the current problems in the AMEP and is seeking to remedy them. We believe that such an acknowledgement could assist in raising morale in the Program.

We also request that the Minister meet urgently with ACTA representatives to discuss the issues we raise in here.

This paper aims to provide a clear focus on key problems, urgent needs and ACTA's recommended solutions. It draws from our two submissions to the current AMEP review, which are attached (henceforth the ACTA submission).

For the evidence and arguments supporting this outline, including extensive data from 435 respondents to an ACTA survey, please refer to the ACTA submission sections indicated in footnotes.

This paper was extensively circulated in draft form. Its analysis and proposals received universally warm support.

¹ For example, providers are now actively seeking exemptions from TESOL qualification requirements on the grounds of supposed teacher shortages.

PROBLEM 1:

The basis for determining AMEP eligibility and a Key Performance Indicator has lost credibility

What is the problem?

The Australia Core Skills Framework (ACSF) was mandated at the beginning of the current AMEP contract (1st July 2017) for use in **determining eligibility for AMEP tuition** and as the basis of an **“attainment” KPI**.

Use of the ACSF as an assessment tool in the AMEP:²

- is based on a **misguided and misinformed rationale**
- has confused the **Australian Core Skills Framework** (i.e. a set of general reference points that require extensive work to operationalise them in various ways – see ACSF introduction) with a **specific assessment system and related tools**, and *on the basis of this confusion*
- has instituted a **radical switch in assessment tools** used in the AMEP with catastrophic consequences
- is, in any case, **invalid for English language learners**
- has imposed a **huge, complex and unnecessary burden** on teachers (see photo below) and managers³
- is massively **deflecting teachers’ time and effort from teaching**
- is currently **being gamed by teachers** in order to (i) protect their students’ tuition entitlements, and (ii) manage a literally impossible workload (see photo below)
- is therefore providing **patently unsound KPI data** to the Government and Parliament
- is grossly **undermining teachers’ professionalism and morale**
- has **diverted all funded professional development** to training in use of the ACSF; but even so, the ACSF has not gained the requisite amount of teacher acceptance
- has redirected AMEP teaching **away from English in the context of settlement**
- is causing teachers and students to **leave the AMEP**
- is costing the Commonwealth approximately \$6 mill.⁴
- is yet to be operationalised⁵
- is sustained by a **conflict of interests**.

We note that the VET review commented at length on excessive compliance requirements in the VET sector.⁶ Use of the ACSF effectively *doubles* what is required for AMEP (and SEE) providers.

² For supporting evidence, please see ACTA submission sections 6, pp. 28-46.

³ Because teachers often do this work in haste and do not complete it correctly, managers devote more time to following up.

⁴ *Revised data management system: \$4.3 mill. over 3 years/\$4.5 mill. over 5 years; revised assessment task bank: \$861,207; teacher professional development: \$799,530.*

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 data management system will be in place “at the commencement of the next contract, from 1 July 2020”.

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

⁵ In response to the circulating draft of this paper, one person wrote “My management, today, updated me that they have had no reassurances of availability of the software for the next contract period.”

⁶ *Strengthening Skills: Expert Review of Australia’s Vocational Education and Training System*, Commonwealth of Australia, 2019.

Chapter 3. <https://www.pmc.gov.au/resource-centre/domestic-policy/vet-review/strengthening-skills-expert-review-australias-vocational-education-and-training-system>



This photo was presented at one of the ACTA Forums on the current AMEP review. It depicts *some of* one teacher's assessment paperwork for approximately 20 absolute beginner English language learners for a 10 week term in 2019.

ACTA recommendations:

- 1) The ACSF should be replaced by the previously used and well-established International Second Language Proficiency Ratings scale (ISLPR) **for determining eligibility for AMEP tuition**, and the Immigration (Education) (Functional English) Specification 2017 amended accordingly.
- 2) The AMEP **Achievement KPI** should be immediately suspended.
- 3) Data from provider reports on **student progress as measured by assessments in accredited curriculum** should be collected and maintained for use in monitoring the AMEP (but not used as the basis of any KPI).
- 4) The current Quality Assurance provider's contract should be reviewed with a view to terminating it and appointing a new QA provider with (i) **recognised expertise in English language programs** and (ii) **no vested interest in particular methods of assessment or curriculum in the AMEP**.
- 5) Immigration's previous **AMEP Reporting System (ARMS)** should be reinstated/revived for data management purposes in the AMEP.

Predicted outcomes:

- an immediate increase in provider productivity due to a decreased compliance load
- an immediate increase in student satisfaction and teacher morale
- declining rate of teacher resignations
- increased student access and attendance
- simplified but credible KPI data
- restored credibility of other data on the AMEP
- a halt to curriculum modifications to align with the ACSF
- funding now used in ACSF training returned to professional development on pedagogy and curriculum (see also Problem 2 below)
- hope for the future of the AMEP
- pushback from the QA provider and possible claim for compensation for terminated contract
- initial pushback from a small number of provider managers resisting yet another change.

PROBLEM 2:

Curriculum used in the AMEP has fragmented; in some cases, it is unsuitable and quality can no longer be guaranteed

What is the problem?

From 1996 until July 2017 when the current contract began, the **Certificates in Spoken & Written English (CSWE)** were the mandated AMEP curriculum. Considerable investment has gone into developing supporting materials, a validated assessment task bank and teacher professional development. An “attainment” KPI was based on progress in the CSWE and recorded in the ARMS data management system.

Providers are now allowed choice of VET accredited curriculum. The choice is made by providers, not Centres or teachers.

In consequence:⁷

- the content taught in the AMEP has **fragmented**
- progress in a single national AMEP curriculum **can no longer inform a KPI**, thus creating the perceived need for introducing the ACSF
- provider choice of alternatives to the CSWE was initially almost entirely **governed by avoiding the cost of the CSWE licence fee**, not educational concerns;⁸ if this perverse incentive is not removed, this trend will increase in the next round of contracts
- **the AMEP’s settlement focus** has dissipated across Australia and been abandoned by some providers⁹
- teachers are now **producing their own teaching materials and assessment tasks**,¹⁰ often in unpaid time,¹¹ where previously national effort supported a rich array of teaching resources and assessment tasks for the CSWE
- **the quality of ad hoc teacher-made resources** cannot be guaranteed and, in Queensland and South Australia, are aligned with unsuitable curriculum “frameworks”
- efforts in producing teaching materials and assessment tasks for the AMEP are **being duplicated** across the country
- the CSWE was previously a national concern but is now **a matter for its owners** (TAFE NSW) **regulated by ASQA**, whose broad VET requirements are, in some respects, antithetical to the interests of AMEP students, especially those with little/no English or previous education
- **no support exists for professional development** in *any* curriculum currently in use, including the newly re-accredited CSWE, which has been significantly changed, partly to accommodate the ACSF

⁷ For supporting evidence, please see ACTA submission section 8, pp. 55-69 and Appendix C, pp. 87-88.

⁸ In Melbourne, the main provider opted for the EAL (English as an additional language) Framework, which was developed (many years ago) and is maintained by funding from the Victorian State Government. It can be downloaded for free off the web. ACTA’s information is that it is suitable for English language learners but requires a higher level of teacher skill and experience to operationalise. To undercut a rival provider’s bid for the current AMEP contract, Queensland TAFE opted to develop its own curriculum based on its existing Foundation Skills packages. The ACTA survey revealed universal condemnation of the Queensland TAFE curriculum on grounds of its (i) unsuitability for English language learners, and (ii) lack of teaching or assessment resources. It also appears to violate specific ASQA requirements re content sources and changes. See ACTA submission sections 8.2.3, pp. 62-69.

⁹ For a clear example, see Appendix C in the ACT submission, pp. 87-98.

¹⁰ Qld TAFE released two teachers for six months in the second half of 2018 to work on developing resources for the new curriculum. However, teachers are reporting that current resources are insufficient.

¹¹ In response to the circulating draft of this paper, one teacher wrote that instructions had been just been issued that teachers must increase their “updates” of assessment tasks from one per week to two.

- both the AMEP task bank and the ARMS data management system are **being replaced by systems aligned with the ACSF** (see Problem 1 above). Neither are properly operational.

In short, abandoning the CSWE as the national AMEP curriculum has proved dysfunctional, inefficient and wasteful.

However, ACTA believes that removing provider choice of curriculum would now meet with some resistance. Rather, the Commonwealth strategy should be to:

- eliminate the financial considerations governing curriculum choice
- support the majority's choice(s), and
- provide a coherent national focus for effort.

ACTA recommendations:

- 6) The Commonwealth should resume temporary (at least) **support for the CSWE** by immediately:
 - i. offering very small grants for 2019-2020 to support professional development in the so-called “new” CSWE
 - ii. discounting/refunding the cost of the CSWE licence fee for providers.
- 7) The Commonwealth should announce it will **cover the cost of curriculum licence fees in future contracts.**
- 8) The Commonwealth should consult with providers and teachers over the next three-four months on their preferences for **a mandated and supported national curriculum for the AMEP versus choice of curriculum** with no support except for discounting licence fees.
- 9) Future AMEP contracts should include requirements that teachers receive **professional development related to the curriculum they teach** (as distinct from/in addition to training in assessment).
- 10) **Reworking the CSWE task-bank to align with the ACSF** should cease immediately.

Predicted outcomes

- AMEP will return to focussing on teaching English for settlement.
- Choice of curriculum will be based on professional educational principles rather than market forces.
- Most (if not all) providers will opt for the CSWE.
- Pushback will come from Queensland TAFE senior managers but their AMEP teachers overwhelmingly will support a return to the CSWE.

PROBLEM 3:

Class sizes and groupings are grossly dysfunctional for teaching English

What is the problem?

1. **Providers are currently funded on the basis of hourly student attendance.** To compensate for non-negotiable on-costs (e.g. salaries, basic infrastructure and rents), the incentive and main priority is to maintain class numbers at the permitted maximum. The results are:¹²

- **classes are grossly over-enrolled** on the assumption that there will always be absences – teachers are reporting actual numbers in class that are well over the permitted maximum¹³
- **classes are collapsed** if, even for a few days, they fall below the maximum permitted size, thereby constantly disrupting students and teaching
- classes to meet **special needs** have been/are being discontinued (see Problem 6, footnote 25)
- students are **continuously admitted to classes**, even in the last weeks of term
- class groups contain students at **all English, educational levels and ages** – from those who have learned English at school to complete beginners; from those with degrees to those with no previous schooling; from teenagers to grandparents (sometimes their own) – see also Problem 6
- classes commonly mix **students funded from various sources** (commonly AMEP and SEE students) and often students funded from other sources, including full-fee international students
- classes commonly mix **students studying quite different VET accredited curricula and at diverse levels** – teachers report administering and reporting on up to 8 different assessment tasks in the one class
- some classes contain mix students who are **enrolled to attend for anything between 1 and 5 days per week**
- **class rolls must be maintained** whether or not students attend – these can contain up to 50 names; teachers are required to follow up (with at least three phone calls) and write reports on all unexplained absences; the work is excessive and often fruitless
- providers (and even sub-contractors within the one provider) will rarely, if ever, **refer students to more appropriate provision**
- **continuity and coherence in teaching** is impossible – in response to the circulating draft of this paper, one teacher wrote that she and colleagues now used “*the holding pen method of teaching*”
- teachers are increasingly **employed on a casual basis**.¹⁴

2. Providers are required to stream students into **separate “social English” and “pre-employment” classes**.¹⁵ Social English classes are larger (max. 25) than pre-employment classes (max. 20). Teacher qualification requirements are lower. The results are:¹⁶

¹² For supporting evidence, see ACTA submission, section 10, pp. 76-78.

¹³ In response to a circulating draft of this paper, one teacher wrote: “A few classes have been consistently 30% and at times 75% over the contract specified number of 20 per class for weeks (or days per week) on end. In a class where over 30 students were present, there were insufficient tables and chairs. Students are becoming agitated and have even made complaints about the chaos to management, which have not been followed up. Complaints from staff are discouraged. I know of at least one case when teacher records of numbers over 20 on the roll have been adjusted on the attendance software.”

¹⁴ See ACTA submission, p. 22.

¹⁵ For the stated rationale for streaming, see ACTA submission section 4.1, pp. 20-22.

¹⁶ For supporting evidence, see ACTA submission, section 4, pp. 20-22, and section 10, pp. 76-78. Some of the problems described in this section were notified to ACTA in response to a draft of this paper.

- **constraints on other options** for forming classes (e.g. to reflect learning needs – see above re English & educational levels)
- some providers are using social English classes as a **means of cutting costs**
- some providers are placing **all/most beginner students in social English classes**, no matter what their intended pathway
- the larger permitted size of social English classes is **inappropriate** for the total beginners in English
- reports on the separate streams are **sometimes fabricated**¹⁷
- **the goals of the AMEP pre-employment stream overlap with the SEE Program**; the function of the two Programs is now entirely unclear (see Problem 4 below).¹⁸

ACTA recommendations:

- 11) **Streaming should be immediately discontinued.**
- 12) The clients for whom social English classes are described as catering should be referred to **Community Hubs and other community classes.**
- 13) The QA provider should be immediately directed to undertake more stringent checking of (i) **class sizes**, and (ii) **class groupings** of those at similar English & educational levels.
- 14) The Commonwealth give urgent attention to devising (i) guidelines regarding **appropriate class groupings**, (ii) a less punitive form of **funding providers.**
- 15) The Commonwealth should immediately relax the contractual requirements for **following up unexplained student absences.**

Predicted Outcomes:

- improved student and teacher retention rates
- improved English language and settlement outcomes for students
- improved student and teacher morale
- reduced incentives for providers to falsify records.

¹⁷ See ACTA submission p. 21.

¹⁸ For supporting evidence, see ACTA submission sections 2 and 3, pp. 14-18.

PROBLEM 4: AMEP tuition hours are insufficient

What is the problem?

Since 1992, the basic AMEP tuition entitlement has been legislatively defined as **510 hours for those with less than “functional English”** (now determined as achieving ACSF Level 3). This entitlement must be used within a limited time after arrival.¹⁹ The 510 hours limit has *no* theoretical, research or administrative validity.²⁰

The results are:²¹

- **the 510 hours limit** has been consistently criticised as inadequate for learners with low English proficiency
- many students **exit the AMEP with less than functional English** but without using their full entitlement
- the Skills for Education & Employment (SEE) Program is frequently nominated as **the English learning pathway for those exiting the AMEP, but**
- its various eligibility requirements (related to visa classes, job-seeker status, individual Centrelink interpretations) create **barriers for many seeking further English**
- this situation will inevitably become more complex with the **SEE Program moving to the Employment portfolio**
- to mitigate these problems, **various exceptions to the AMEP 510 hour limit have increased** incrementally with each contract, resulting in **duplication and overlap** between actual provision in the AMEP and SEE Program
- **the SEE Program’s original goals have been dissipated and confused** by mixing English language learners (the majority) with those for whom the Program was designed, viz. mother tongue English language speakers (including Indigenous students) with literacy and numeracy needs that hinder them in gaining employment
- **administrative eligibility requirements** now effectively define the goals of the AMEP vis à vis the SEE Program.

These problems provide a clear case for **rethinking the gradual accretion of requirements, restrictions, complexities and exceptions that have attached to the AMEP over approximately the past 20 years**. They prevent the AMEP from fulfilling its basic mission of assisting adult migrants to develop sufficient English to participate in mainstream Australian society, education and training, and employment. They also prevent the SEE Program from meeting the goals for which it was designed.²²

¹⁹ New arrivals must register for AMEP tuition within 6 months after arriving (12 months if under 18). Entitlements must be accessed within 5 years of arrival, although time extensions possible with supporting evidence of reasons for delay. This provision is consistently criticised as too restrictive and counter-productive since it excludes people (especially house-bound women with large numbers of children) who would benefit from English classes when they are able to undertake them.

²⁰ The 510 hours entitlement bears no relation to second language learning research. It was based on ARMS data from the late 1980s before the system had become properly operational. These data supposedly showed the average time clients took to reach “transactional proficiency” on the ISLPR. However, these data supported no such conclusion. They included clients who had been in the AMEP from between 1 day and 5 years; no controls existed for initial English levels (so clients ranged from complete beginners to near-fluent users) and level of education (which determines rate of learning); and client names had been entered more than once. An 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.

²¹ For evidence and supporting arguments, see the ACTA submission, sections 1-2, pp. 14-18, and section 5.2, pp. 26-27.

²² The ACTA submission to the AMEP review recommended that the AMEP remain in the Training and Education portfolio (section 3, pp. 18-19). With Training now located within the Employment portfolio, the substantive issues motivating our recommendation (relating to pathways) have become more acute. They could be resolved by our recommendations in this section.

We note that the recent VET Review has fundamentally confused the distinction between learning English *as an additional language* and learning *English literacy by mother tongue or orally fluent English language speakers*.²³ The implications for the SEE Program, which remains in the VET sector, are unclear. However, while these confusions persist, so will the dysfunctional overlaps and disjunctions between the AMEP and the SEE Program.

ACTA recommendations:

- 16) The AMEP should be redefined as **an English language learning program** directed towards assisting the settlement of adult migrants whose previous education was in a non-English speaking country.
- 17) Settlement (in this context) should be defined as reaching **a level of proficiency in English that is appropriate for entry into VET bridging and mainstream training and higher education** (probably ACSF Level 4, CSWE 4, ISLPR 2+, IELTS 5).
- 18) The **time restrictions on accessing the AMEP** should be abandoned.
- 19) Eligibility for the AMEP should be determined solely on the basis of **ISLPR assessments by a qualified ISLPR assessor**.
- 20) The SEE Program be redefined as **a basic literacy and numeracy program** (as distinct from an English language learning program) for job seekers who are:
 - **English-dominant and English mother tongue speakers** whose education has been predominantly or entirely in an English-speaking country, and
 - long-term residents from overseas who are **orally fluent in English**.
- 21) **Eligibility for the SEE Program** should be assessed by Centrelink and a qualified Adult Literacy or EAL assessor using an appropriate assessment tool
- 22) The redefined SEE Program should **remain as a labour market program in the Employment portfolio**.

Notes on Recommendation 2:

The implications for the legislated entitlement of 510 hours English tuition for those with less than “functional English” would need to be considered.²⁴ ACTA absolutely opposes any undermining of the Immigration Education Act’s protection of rights to English tuition.

The assessment system equivalences listed here are drawn from the 2015 ACIL-Allen Review²⁵ and require further validation.

Predicted Outcomes:

- Pathways for adult migrants to develop English proficiency will be clearer and simpler
- The goals of both Programs will be clear and straightforward
- The administration of both Programs will be simplified and more efficient
- The current problem of under-utilisation of the AMEP will be addressed. On current numbers of those accessing entitlements, the *combined* costs of the AMEP and SEE Program may increase marginally, if at all, unless new policies to attract SEE clients are instituted.²⁶

²³ *Strengthening Skills: Expert Review of Australia’s Vocational Education and Training System*, Commonwealth of Australia, 2019. See pp. 104-106.

²⁴ <https://www.legislation.gov.au/Details/C2011C00051>

²⁵ https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf Appendix A, pp. A1 & A2.

²⁶ One potential source of increased AMEP costs is from those seeking admission to the AMEP to obtain AMEP allowances and child care. ACTA believes that the relevant authorities are capable of determining allowance entitlements to ensure appropriate targeting.

PROBLEM 5:

Qualification requirements for AMEP teachers are unclear and inappropriate

What is the problem?

The advice received by teachers and ACTA on the qualifications required to teach in the AMEP is **unclear, inconsistent and contradictory**. It comes from at least four sources: the Commonwealth (as AMEP contractor), provider/employers, the Quality Assurance provider and individuals. There are two main issues.²⁷

1) The VET Certificate IV in Training and Assessment (VET Cert IV TAE)

The AMEP contract obliges providers to **offer VET accredited courses**. Accreditation is done by **the Australian Skills & Qualifications Authority (ASQA)**, except in Victoria and Western Australia.²⁸ Accreditation regulates a vast array of VET sector courses. It is intended to provide quality assurance in that sector, and allows qualification levels to be understood and credible.

To gain ASQA accreditation, courses taught by AMEP providers (like all VET accredited courses) must be taught by **“trainers” in a Registered Training Organisation (RTO)**. The VET Cert IV TAE is the ASQA minimum requirement for RTO trainers. This Certificate bears no relation to appropriate requirements for teaching English as an additional language and does not claim any relationship.

Recently ASQA has ruled that:

- “trainers” need not hold the VET Cert IV TAE if they have a **“diploma or higher level qualification in adult education”**. See: <https://www.education.gov.au/trainer-and-assessor-credential-requirements>
- **“adult education” need not be named** in the qualification and a Graduate Certificate or Diploma in TESOL qualifies.²⁹

It follows that the VET Cert IV TAE is *not* a requirement for teaching the CSWE or other ASQA accredited courses if teachers hold a higher level TESOL qualification.

However, advice from *all* sources to many existing and prospective AMEP teachers is that they require the VET Cert IV TAE (including regular upgrades) because of ASQA requirements.³⁰ This advice rests on (mis-)interpretations/application of ASQA requirements.

This issue requires urgent resolution and is a key factor contributing to teacher resignations and the difficulty in recruiting AMEP teachers, because:

- the VET Cert IV TAE is manifestly inferior to the specialist TESOL qualifications AMEP teachers are also required to hold – see 2) below
- the content is irrelevant and largely focussed on VET compliance issues
- unless the employer covers fees, it is very expensive (ACTA has been informed that teachers with AQF9 level qualifications are paying up to \$2,000 to undertake this Certificate)

²⁷ For evidence and supporting arguments, see ACTA submission, section 9, pp. 69-76.

²⁸ These two States have not opted to join the national body and have their own regulatory bodies.

²⁹ Linda Wyse Associates for the Dept. of Education & Training (June 2018): *AMEP Curricula and Teacher and Assessor Qualifications Guide*. Available through Dept. of Education & Training SQ18-000100, Senator Doug Cameron Question on Notice, Supplementary Budget Estimates 2018-2019, p. 65.

³⁰ Those teaching in the AMEP (and SEE program) strongly object to being described as “trainers”. In line with their qualifications and the nature of this work (see 2/ below), they are appropriately designated as “teachers”.

- continuous upgrading is required, which diverts teachers' time and expenses from relevant and worthwhile professional development.

We note that these assessments accord with evidence presented to the 2019 VET review.³¹

ACTA recommendation:

- 23) AMEP providers, including the QA provider, should be **immediately notified** of the recent ASQA ruling and **instructed that they must no longer require AMEP teachers to hold the VET Cert IV TAE.**

Predicted Outcomes:

- decreased teacher resignations
- increased manager and teacher morale
- increased motivation for and focus on relevant professional development, especially on curriculum and pedagogy.

2) The appropriate level of specialist TESOL requirement for an AMEP teacher

AMEP teacher qualifications are regulated from four separate but intersecting sources:

- ASQA
- the qualification requirements specified in ASQA accredited courses, e.g. the CSWE
- employers
- the Commonwealth as the current AMEP contracting body.

ACTA recognises **only two VET accredited courses as suitable for use in the AMEP**, because these courses require teachers to hold the TESOL qualifications specified in our recommendation below:

- the CSWE
- the English as an Additional Language (EAL) Framework.³²

ACTA **does not endorse the Queensland TAFE Core Skills for Learning (CSL) framework or the South Australian Certificate in English Proficiency (CEP)** because they do not require teachers to hold specialist TESOL qualifications.

A number of issues regarding specialist TESOL qualifications remain unresolved and require further in-depth investigation:

- quality
- content
- length
- relevance to teaching migrants in the Australian context
- inclusion of adult learning perspectives
- practicum requirements: length and supervision
- overseas qualifications

³¹ *Strengthening Skills: Expert Review of Australia's Vocational Education and Training System*, Commonwealth of Australia, 2019. See p. 49. <https://www.pmc.gov.au/resource-centre/domestic-policy/vet-review/strengthening-skills-expert-review-australias-vocational-education-and-training-system>

³² Accredited by the Victorian Registration & Qualification Authority.

- requirements for English proficiency
- bridging and upgrading pathways.

ACTA recommendations:

- 24) The Commonwealth should require AMEP teachers to hold:
- i. a recognised university **undergraduate degree or higher or equivalent**
AND
 - ii. a recognised AQF 8 or higher **TESOL Qualification or equivalent**
OR
a recognised university undergraduate degree or higher in education or equivalent **with a TESOL major.**
- 25) The Commonwealth institute **a research project into criteria for determining appropriate specialist TESOL qualifications for AMEP teachers** in collaboration with relevant stakeholders, including representatives from various established and well-regarded TESOL teacher education university programs, NEAS and ACTA.

Predicted Outcomes:

- improvements in the quality of both AMEP teaching and specialist TESOL qualifications
- in the longer term, stable and clear guidelines for the employment of AMEP teachers
- in the short term, continued representations from prospective teachers who feel (sometimes justifiably) their qualifications (mostly from overseas) have been unfairly excluded.

PROBLEM 6:

Programs targeting the specific needs of refugee youth with minimal/no previous schooling have been discontinued or are under threat

*What are the problems?*³³

The Australian education system is **organised on age-based assumptions** that do not accommodate the learning needs of youth aged 15 to 25 with little/no previous schooling.

In schools, these youth are placed in age-appropriate classes, **where they lack the English, educational and learning-how-to-learn skills assumed in these classes, and so they drop out quickly.**

These youth have high aspirations and excellent motivation to succeed but do not understand and **are poorly advised about their educational options.**

The Special Preparatory Program (SPP) in the AMEP is perfectly placed to develop appropriate programs for these youth. However, while some providers offer youth classes, others frequently report insufficient numbers to warrant these classes.³⁴ This apparent lack of demand follows from:

- inflexible regulations that block 15-17 year olds' access to the AMEP
- perverse incentives that encourage schools to enrol these youth
- failures in advising these young people about their options
- policy failure to recognise what is required to create programs and pathways to meet these learners' needs.

Where youth classes are not offered, 15-24 year olds (SPP400 students) are inappropriately placed in regular AMEP classes. These youth have specific learning needs, styles and pace of learning, and different social & peer group needs, motivations and aspirations.

In this context, it is extremely disconcerting that targeted youth provision has substantively diminished under the current AMEP contract, at least in Melbourne where, coincidentally, the Government has expressed concern about so-called youth gangs. One of two long-standing and successful youth programs in Melbourne was terminated when AMES Australia lost their contract in July 2017. It appears that the other program run by Melbourne Polytechnic may close.³⁵

Unless this group of refugee youth attracts **a policy focus that targets its special needs**, its members will remain extremely vulnerable to “falling through the cracks” and disconnecting from mainstream education, training and employment.

³³ These issues were canvassed at length in ACTA submission 108 to the 2017 Parliamentary Inquiry into Migrant Settlement Outcomes, sections 2.4, 3.6.1, 4.4.1, 4.4.3 (pp. 39-40, 94-100, 135-136, 137-139). Go to <http://www.tesol.org.au/Advocacy/ADULT-EAL-NEWS-AND-ISSUES> and scroll down to this submission.

³⁴ See ACTA submission, section 5.1, pp. 23-26. 15 out of 77 Centre managers who responded to the 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.

³⁵ ACTA's advice (as of June 2019) is as follows: Melbourne Polytechnic sub-contractors in the Box Hill catchment area have not restarted previous AMES youth programs in that area. Under the current contract, the YAMEC (Young Adult Migrant Education Course) program offered by Melbourne Polytechnic has been greatly reduced in the Dandenong area (an area of considerable concern re so-called “youth gangs”). In Preston and Broadmeadows, Melbourne Polytechnic YAMEC closed at the end of 2018, due to supposedly low demand. **To access the only remaining YAMEC, youth in the north of Melbourne now have to travel to Melbourne Polytechnic in Epping. This program is also under review if numbers drop below 20 attendees per day.** Youth will then be placed in regular adult classes.

ACTA Recommendations:

26. AMEP providers should be funded to the level necessary to ensure that **those accessing SPP400 entitlements are placed in youth-specific classes** (of 4 or more students) 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 their necessary outreach. Providers should be funded to publicise and promote SPP400 entitlements in relevant local neighbourhoods, including collaboration with youth workers.
27. In awarding future AMEP contracts, priority should be given to **establishing quality programs for refugee youth and maintaining their continuity**.
28. The Department of Home Affairs should immediately initiate improvements in **targeted information and intensification in training** 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**.
29. The Commonwealth should initiate **a special Commonwealth/State/Territory Refugee Youth Education Task Force** with the authority to investigate and recommend on:
 - i. current provision for refugee youth with minimal/no previous schooling aged 15-24
 - ii. 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
 - iii. developing new programs and supporting existing quality programs
 - iv. providing vulnerable youth with the necessary support to maintain their education
 - v. extending options for pathways into further for English language learning combined with training and further education in the school, VET and HE sectors.

Predicted Outcomes:

- increased flexibility in educational pathway options for vulnerable refugee youth
- improved collaboration between individuals schools and VET providers³⁶
- increased capacity to provide vulnerable refugee youth with accurate and appropriate advice on educational pathways
- ethnic community leaders and youth workers better informed about non-school options for refugee youth
- increased participation by vulnerable refugee youth in training and education
- improved integration of vulnerable refugee youth in Australian society.

³⁶ See also Chapter 7 (“Clearer school pathways”) in *Strengthening Skills: Expert Review of Australia’s Vocational Education and Training System*, Commonwealth of Australia, 2019. See p. 49. <https://www.pmc.gov.au/resource-centre/domestic-policy/vet-review/strengthening-skills-expert-review-australias-vocational-education-and-training-system>

PROBLEM 7:

The current competitive contracting system has manifestly failed to serve the public interest in ensuring quality, efficiency, effectiveness and value for taxpayer dollars

What is the problem?

Regarding the provision of “human services”, the 2013 Harper Review of Competition Policy stated that:

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.**³⁷ (our emphasis)

The system of competitive contracting for the AMEP since 1996 is clearly not in the Australian community’s interest. It has caused:³⁸

- chronic program instability and disruption³⁹
- repeated student discontinuations and exclusions
- extensive waste of human and material resources
- loss of accumulated professional knowledge, expertise and networks
- cost-shifting and disguising of real costs
- the award of contracts to unsuitable providers with no previous experience, understanding or interest in quality English language provision
- increased risk of provider collapse
- cost cutting to the point where maintaining financial viability and, in some cases, profitability has been prioritised above basic standards in class sizes, class composition classrooms, equipment (including computers), toilets, other infrastructure and even stationery
- a “survival” risk-averse provider mentality
- chronic professional demoralisation and resignations
- prioritising and increasing narrowly focussed compliance requirements that exclude concerns for educational principles and quality
- the focus on narrow compliance requirements resulting in:
 - poorly informed and misguided decisions by Departmental officials, which have been have been catastrophic for the AMEP
 - continued reliance on advice from sources whose interests are conflicted
- Departmental officials absolving themselves from responsibility for most of the above in Senate Estimates.

Since July 2017 when the current contract began, **numbers in the AMEP have dropped by over 6,000 people** (April-June 2017: 35,495; April-June 2018: 29,324).⁴⁰

³⁷ https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook45p/CompetitionPolicy

³⁸ Evidence and supporting arguments can be found throughout the ACTA submission to the AMEP review. See especially section 7, pp. 46-55, sections 10 & 11, pp. 76-82.

³⁹ The Australian National Office of Assessments (ANO) recommended improvements on this matter in 2001: 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. The fact that the problem has worsened with each contract round presents clear evidence that it cannot be rectified within this method of contracting.

⁴⁰ Dept. Education & Training SQ18-000616, Senator Doug Cameron provided in writing, Supplementary Budget Estimates 2018-2019.

For many years, ACTA has recommended other means of contracting for the AMEP (and SEE Program) which would be more efficient, effective and transparent, and much less wasteful and costly. We note that a similar recommendation has now been made by the 2019 VET review.⁴¹

ACTA Recommendations:

30. The Department of Home Affairs should seek **exemption for the AMEP from current external contracting guidelines for “human services”**, on the grounds that these guidelines are unsuitable for an educational program, and that, since this system was instituted, it has obstructed achievement of the particular settlement goals of the AMEP, and has consistently failed to further the public interest in regard to delivering efficiencies, real cost savings and effectiveness in improving English language outcomes for adult migrants.
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 not 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.
32. 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.
33. The provider assessment scale should be determined in relation to **KPIs devised by the Commonwealth 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.

⁴¹ See p. 41. *Strengthening Skills: Expert Review of Australia's Vocational Education and Training System*, Commonwealth of Australia, 2019. <https://www.pmc.gov.au/resource-centre/domestic-policy/vet-review/strengthening-skills-expert-review-australias-vocational-education-and-training-system>

Predicted Outcomes:

- genuine cost savings rather than costs masked and shifted
- increased provider productivity
- improved student learning outcomes
- increased provider collaboration for example, re: student referrals, materials/resources development and exchange, professional exchange of information, professional development
- increased provider investment in infrastructure and equipment
- improved provider outreach and network development (e.g. re student pathways, sporting & other community organisations, support services, work experience placements)
- long-term vision and planning possible at all levels
- innovation possible
- increased transparency at all levels
- improved and more effective communication between providers and the Dept. of Home Affairs
- genuine and effective Quality Assurance
- improved morale for teachers and managers
- increased incentives for teachers to undertake professional development and qualifications upgrades
- end of the supposed teacher shortage.

List of Recommendations

Assessment

1. The ACSF should be replaced by the previously used and well-established International Second Language Proficiency Ratings scale (ISLPR) for determining eligibility for AMEP tuition, and the Immigration (Education) (Functional English) Specification 2017 amended accordingly.
2. The AMEP Achievement KPI should be immediately suspended.
3. Data from provider reports on student progress as measured by assessments in accredited curriculum should be collected and maintained for use in monitoring the AMEP (but not used as the basis of any KPI).
4. The current Quality Assurance provider's contract should be reviewed with a view to terminating it and appointing a new QA provider with (i) recognised expertise in English language programs and (ii) *no* vested interest in particular methods of assessment or curriculum in the AMEP.
5. Immigration's previous AMEP Reporting System (ARMS) should be reinstated/revived for data management purposes in the AMEP.

Curriculum

6. The Commonwealth should resume temporary (at least) support for the CSWE by immediately:
 - i. offering very small grants for 2019-2020 to support professional development in the so-called "new" CSWE
 - ii. discounting/refunding the cost of the CSWE licence fee for providers.
7. The Commonwealth should announce it will cover the cost of curriculum licence fees in future contracts.
8. The Commonwealth should consult with providers and teachers over the next three-four months on their preferences for a mandated and supported national curriculum for the AMEP *versus* choice of curriculum with no support except for discounting licence fees.
9. Future AMEP contracts should include requirements that teachers receive professional development related to the curriculum they teach (as distinct from/in addition to training in assessment).
10. Reworking the CSWE task-bank to align with the ACSF should cease immediately.

Class sizes and groupings

11. Streaming should be immediately discontinued.
12. The clients for whom social English classes are described as catering should be referred to Community Hubs and other community classes.
13. The QA provider should be immediately directed to undertake more stringent checking of (i) class sizes, and (ii) class groupings of those at similar English & educational levels.
14. The Commonwealth give urgent attention to devising (i) guidelines regarding appropriate class groupings, (ii) a less punitive form of funding providers
15. The Commonwealth should immediately relax the contractual requirements for following up unexplained student absences.

AMEP tuition hours

16. The AMEP should be redefined as an English language learning program directed towards assisting the settlement of adult migrants whose previous education was in a non-English speaking country.
17. Settlement (in this context) should be defined as reaching a level of proficiency in English that is appropriate for entry into VET bridging and mainstream training and higher education (probably ACSF Level 4, CSWE 4, ISLPR 2+, IELTS 5).
18. The time restrictions on accessing the AMEP should be abandoned.
19. Eligibility for the AMEP should be determined solely on the basis of ISLPR assessments by a qualified ISLPR assessor.
20. The SEE Program be redefined as a basic literacy and numeracy program (as distinct from an English language learning program) for job seekers who are:
 - English-dominant and English mother tongue speakers whose education has been predominantly or entirely in an English-speaking country, and
 - long-term residents from overseas who are orally fluent in English.
21. Eligibility for the SEE Program should be assessed by Centrelink and a qualified Adult Literacy or EAL assessor using an appropriate assessment tool
22. The redefined SEE Program should remain as a labour market program in the Employment portfolio.

Qualifications

23. AMEP providers, including the QA provider, should be immediately notified of the recent ASQA ruling and instructed that they must no longer require AMEP teachers to hold the VET Cert IV TAE.
24. The Commonwealth should require AMEP teachers to hold:
 - i. a recognised university undergraduate degree or higher or equivalent
AND
 - ii. a recognised AQF 8 or higher TESOL Qualification or equivalent
OR
a recognised university undergraduate degree or higher in education or equivalent with a TESOL major.
25. The Commonwealth institute a research project into criteria for determining appropriate specialist TESOL qualifications for AMEP teachers in collaboration with relevant stakeholders, including representatives from various established and well-regarded TESOL teacher education university programs, NEAS and ACTA.

Refugee youth with minimal/no previous education

26. AMEP providers should be funded to the level necessary to ensure that those accessing SPP400 entitlements are placed in youth-specific classes (of 4 or more students) 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 necessary outreach. Providers should be funded to publicise and promote SPP400 entitlements in relevant local neighbourhoods, including collaboration with youth workers.
27. In awarding future AMEP contracts, priority should be given to establishing quality programs for refugee youth and maintaining their continuity.

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29. The Commonwealth should initiate a special Commonwealth/State/Territory Refugee Youth Education Task Force with the authority to investigate and recommend on:
 - i. current provision for refugee youth with minimal/no previous schooling aged 15-24
 - ii. 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
 - iii. developing new programs and supporting existing quality programs
 - iv. providing vulnerable youth with the necessary support to maintain their education
 - v. extending options for pathways into further for English language learning combined with training and further education in the school, VET and HE sectors.

The current contracting system

31. The Department of Home Affairs should seek exemption for the AMEP from current external contracting guidelines for “human services”, on the grounds that these guidelines are unsuitable for an educational program, and that, since this system was instituted, it has obstructed achievement of the particular settlement goals of the AMEP, and has consistently failed to further the public interest in regard to delivering efficiencies, real cost savings and effectiveness in improving English language outcomes for adult migrants.
32. 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
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New tenders for all provision should be called every 10-12 years.

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33. The provider assessment scale should be determined in relation to KPIs devised by the Commonwealth 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.

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
AQF	Australian Qualifications Framework
ASQA	Australian Skills Quality Authority
CEP	Certificate in English Proficiency
CSL	Core Skills for Learning (Framework)
CSWE	Certificates in Spoken and Written English
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
HE	Higher Education
IELTS	International English Language Testing System
ISLPR	International Second Language Proficiency Ratings (scale)
KPI(s)	Key Performance Indicator(s)
LWA	Linda Wyse & Associates
NEAS	National ELT (English Language Teaching) Accreditation Scheme (Ltd.)
PD	Professional development
QA	Quality Assurance
RTO	Registered Training Organisation
SA	South Australia
SEE (Program)	Skills for Education and Employment (Program)
SPP	Special Preparatory Program
TAE	(VET Certificate) in Training and Assessment ⁴²
TAFE	Technical and Further Education (Institutes)
TESOL	Teaching English to speakers of other languages
VET	Vocational Education and Training
YAMEC	Young Adult Migrant English Course

⁴² We do not understand how TAE is an abbreviation for **Training and Assessment** (Training and Evaluation?). However, this is the reading given in the VET review. *Strengthening Skills: Expert Review of Australia's Vocational Education and Training System*, Commonwealth of Australia, 2019, p. 163. <https://www.pmc.gov.au/resource-centre/domestic-policy/vet-review/strengthening-skills-expert-review-australias-vocational-education-and-training-system> .