# ACTA BACKGROUND PAPER

## Problems in the Adult Migrant English and SEE Programs

*This paper is revised and updated version of ACTA submission 108
to the 2017 Parliamentary Inquiry into Migrant Settlement Outcomes.[1]
Teachers' reports from across Australia are from 2018.*

### 25 May 2018

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## ABBREVIATIONS

| | |
|---|---|
| **ACTA** | Australian Council of TESOL Associations |
| **ACSF** | Australian Core Skills Framework |
| **AMEP** | Adult Migrant English Program |
| **AMES** | Adult Migrant English Services |
| **ANAO** | Australian National Audit Office |
| **ARMS** | AMEP Reporting and Management System |
| **CSWE** | Certificates in Spoken and Written English |
| **DET** | (Commonwealth) Department of Education and Training |
| **DHS** | (Commonwealth) Department of Human Services |
| **DIMIA** | Department of Immigration  and Multicultural and Indigenous Affairs |
| **ESL** | English as a second language |
| **IELTS** | International English Language Testing System |
| **ISLPR** | International Second Language Proficiency Rating Scale |
| **KPI(s)** | Key Performance Indicator(s) |
| **LLNP** | Language, Literacy and Numeracy Program |
| **NSW** | New South Wales |
| **RTF** | Request for Tender |
| **SAE** | Standard Australian English |
| **SEE (Program)** | Skills for Education and Employment (Program) |
| **TAFE** | Technical and Further Education (Institutes) |
| **TESOL** | Teaching English to speakers of other languages |
| **VET** | Vocational Education and Training |

# SUMMARY:

# ISSUES

## AND

# RECOMMENDATIONS

# ISSUE 1: The new AMEP contracts (beg. 1st July 2017)

## 1.1 Switch to an inappropriate system for assessing learning outcomes

As from 1st July 2017, the new AMEP contracts mandated that **the Australian Core Skills Framework (ACSF)** should replace:

i.   International Proficiency Rating Scale (ISLPR) in initially **determining AMEP entitlements**
ii.  the Certificates in Spoken & Written English (CSWE) as the means of **assessing learner outcomes and on-going entitlements**.

However, **the ACSF is not fit for purpose:**

i.   it has **no validity** in assessing English learning outcomes, because it does not reflect what is known from research and experience about how English is learned as a second/additional language
ii.  the data it generates is **not reliable.** It does not reflect the way English is actually learned, so teachers/assessors are finding it impossible to use accurately and consistently. They are therefore are gaming assessments in various ways in order to satisfy audit requirements.

The switch to the ACSF has:

1.   **destroyed the previous nationally consistent, relatively reliable and established system** (based on the ISLPR and CSWE) for:
     i.   ensuring migrants' **equitable access** to tuition entitlements
     ii.  reporting on **learning outcomes** in the AMEP
     iii. assessing provider performance in relation to learning outcomes.[2]
2.   **substantively undermined the AMEP's ability to meet acceptable standards** of economy, efficiency, effectiveness and the ethical use and management of public resources,
3.   the attempt to meet ACSF requirements has **deflected the AMEP from its core business** by diverting:
     i.   **the Program away from its focus on integrating English language learning with migrant settlement,** and towards narrowly focussed employment skills and Key Performance Indicators (KPIs) that are unsuitable for English language learners and stem from theories of teaching basic literacy to native speakers
     ii.  **teachers away from classroom teaching** and towards satisfying audit requirements based on the ACSF.

## 1.2 No AMEP data management system

The Department of Education & Training (DET) had **no data management system for the AMEP when the new contracts began. This situation continues.** It seems that no assurance is possible that the required system will be in place this year.

The previous computerised system has been replaced by thousands of Excel sheets which are being manually prepared and verified by providers (teachers and managers) and submitted to the Department for processing. This work entails hundreds of unpaid teacher hours and paid overtime for others.

*For further details, see full paper, Issue 1.*

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[2] See Senate Committee: answer to Education and Employment Department of Education & Training Question SQ16-000938: "The Adult Migrant English Program (AMEP) service providers will be bound by outcome-focussed Key Performance Indicators in relation to improved English language proficiency of clients."

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## RECOMMENDATIONS

1. Use of the ACSF in the AMEP should be **immediately discontinued.**
2. **Initial learner entitlements** should be determined against the previously used and validated ISLPR.
3. **Learning outcomes** should be assessed using **accredited curricula that are independently recognised as valid for teaching English as a second/additional language,** i.e. the CSWE or similar.
4. **A computerised data management system** should be developed **as a priority.**
5. Those responsible for this management failure and gross waste of resources **should be disciplined.**

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## ISSUE 2: The Adult Migrant English and SEE Programs –
## Unclear, overlapping, inconsistent, dysfunctional goals and practices

**The Adult Migrant English (AMEP)** and the **Skills for Education & Employment (SEE) Program** are presented as having separate goals and functions:

- the AMEP aims to help **migrants "learn foundation English language and settlement skills** to enable them to participate socially and economically in Australian society"[3]
- the SEE Program "provides language, literacy and numeracy training to **eligible job seekers, to help them to participate more effectively in training or in the labour force** to help them learn foundation English language and settlement skills to enable them to participate socially and economically in Australian society". It "caters for job seeker groups with literacy and/or numeracy training needs including Aboriginal and Torres Strait Islanders, youth, people with disabilities, mature aged people, and job seekers from culturally and linguistically diverse backgrounds".[4]

**Problems:**

1. **AMEP tuition hours are insufficient** to allow many clients to achieve "functional English", the legislated criterion for eligibility to the Program.[5]
2. **The SEE Program is essentially the only English learning pathway from the AMEP** but excludes those in various visa categories and/or who cannot meet the Program's Key Performance Indicators.
3. In defining its clientele as "job seekers", the SEE Program obscures the **fundamentally different learning needs of three quite different groups**:
    i. migrants **learning English as a second/additional language**
    ii. adults who were schooled mainly in Australia and are **effectively English native speakers**
    iii. **Indigenous** speakers of English, distinct creoles and/or Aboriginal languages.

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[3] https://www.education.gov.au/adult-migrant-english-program-0
[4] https://www.education.gov.au/skills-education-and-employment
[5] https://www.legislation.gov.au/Details/F2017L00720 ;
https://www.legislation.gov.au/Details/F2015L01020/Explanatory%20Statement/Text
See also Senate Committee Education & Employment Estimates Question SQ17-000706

To address the problem of insufficient tuition hours in the AMEP and ineligibility for the SEE Program:

1. **entitlements to AMEP hours have been extended** for some learners (*within* overall capped budgets)
2. the AMEP has been split into two "streams": "**pre-employment"** and "**social English"** (with the latter allowing for employment of unqualified teachers).

The result is an **increasing mix of fragmentation, inflexibility, overlapping and unclear goals and practices in both Programs**.

*For further details, see full paper, Issue 2.*

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### RECOMMENDATIONS

6. **The AMEP** should become the main government-funded program for **adult migrant English language learners:**
   i. in the first 5-6 years after arrival
   ii. up to completion of ISLPR Level 3 *or* CSWE 4 *or* IELTS 5 *or* equivalent
   iii. special purpose courses for very low proficiency learners who have been in Australia longer than 6 years (notably women whose childcare responsibilities have prevented them from accessing English courses earlier).
7. **The SEE Program** should be retained as a program catering for **job seekers with literacy & numeracy needs whose schooling has been mostly or entirely in Australia.**
8. **TAFE and Universities** should be responsible and funded for:
   i. **continuing English** for adult migrants above the proficiency levels in Recommendation 6 (ii) above, **including bridging courses into professions** where their overseas qualifications are not recognised
   ii. adult migrants at lower levels who have been in Australia **for more than 6 years and who are seeking to improve their employment prospects**
   iii. people **whose schooling has been mostly (or all) in Australia** and who require **"enabling" and Foundation Skills courses** to access TAFE and Higher Education.
9. **Community-based programs** should be supported to meet targeted local needs in a flexible way.

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## ISSUE 3: The current contracting system: hidden costs and unclear benefits

The costs of the current contracting system are hidden, while the benefits are largely unspecified.

**Costs are hidden** in regard to:

i. **time & resources** devoted to preparing and assessing tenders for new contracts – reportedly 6 months or more for each contract round
ii. **massive waste and inefficiencies** in transitioning between providers in regard to resources (books & computers given away; search for new venues), loss of human capital (teachers, collaborative networks), termination of excellent programs, contracts awarded to unsuitable and inexperienced providers
iii. **disruption and stress** for students and teachers

iv. multiplying and increasingly **dysfunctional KPIs** that direct providers away from quality provision and their core function of teaching English

v. **deteriorating standards** of provision and inability to maintain quality control

vi. **lack of transparency** coupled with perverse incentives to hide problems at all levels.

**Benefits are described in terms of "flexibility", which is undefined** but appears to refer to:

i. the scope for claiming **cost savings on paper**

ii. **cutting** qualification requirements, professional development, and teachers' wages and conditions

iii. **criticism silenced** through providers', teachers' and individuals' fear of losing contracts and jobs**.**

*For further details, see full paper, Issue 3.*

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### RECOMMENDATION

10. **The award and monitoring of contracts for the AMEP and SEE Program should be modernised** as follows:

   i. Overall provider performance should be **assessed annually and rigorously** by independent assessors, including *recognised independent experts* in English language learning and assessment who are not dependent on AMEP or SEE contracts, on **a 5-point performance ranking scale**, viz.:

      A = outstanding performance
      B = good performance
      C = satisfactory performance
      D = somewhat unsatisfactory performance
      E = unsatisfactory performance.

   ii. The scale should be determined in relation to **revised and streamlined Key Performance Indicators (KPIs) for the next round of AMEP and SEE Program contracts**. This revision should be preceded by an independent research project by experts in English language assessment, English language programs and public administration. It should **research, develop and trial KPIs** in collaboration with DET, providers, teachers, ACTA and teacher unions.

   iii. **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 subject to open tendering for the remainder of that contract cycle.

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

   v. New tenders for all provision should be called **every 10 years.**

# FULL PAPER:

# PROBLEMS IN THE

# ADULT MIGRANT ENGLISH PROGRAM

## AND

# SKILLS FOR EDUCATION & EMPLOYMENT PROGRAM

# ISSUE 1:
## The new AMEP contracts (beg. 1st July 2017)

### 1.1 Switch to an inappropriate system for assessing learning outcomes

#### 1.1.1 The role of English language assessment

English language assessment plays a fundamental role in the AMEP and SEE Program. As shown in Figure 1 below, it is used to:

   i.   initially determine **entitlements**[6]
   ii.  **place students in classes** at their English level
   iii. report against **learning outcomes**, which are used to determine on-going student entitlements and evaluate provider performance.
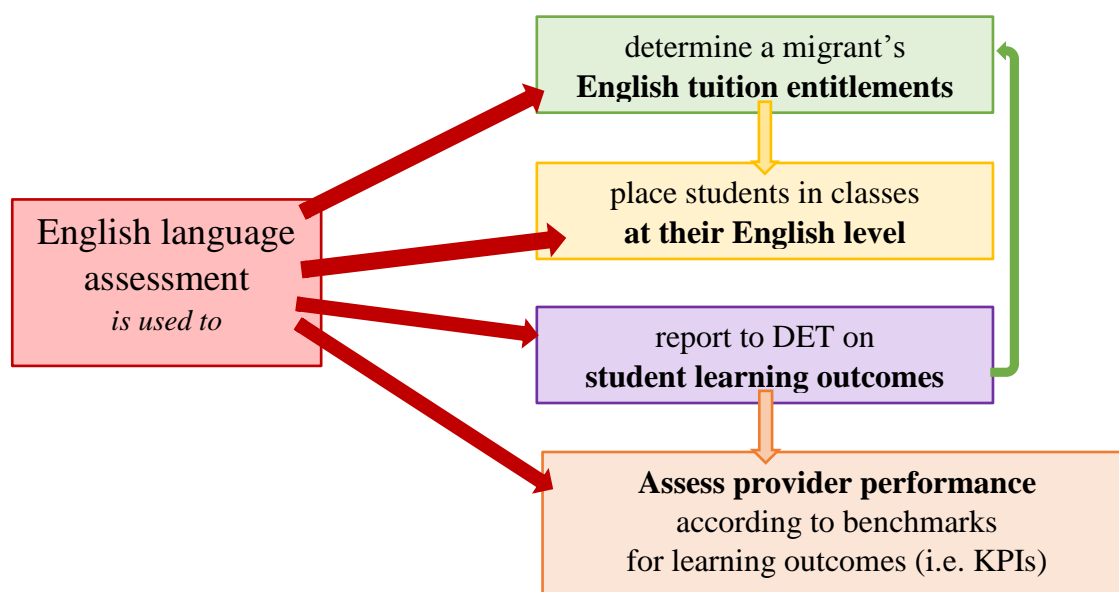


**Figure 1: The role of English language assessment in the AMEP and SEE Program**

Prior to 1st July 2017, AMEP providers worked with two English language assessment systems:

   i.   the **International Second Language Proficiency Rating Scale (ISLPR)** – used to determine initial entitlements and place students in classes
   ii.  the **Certificates in Spoken & Written English (CSWE)** – used to measure learner progress, report to DET on learning outcomes, and determine on-going entitlements within the AMEP.

#### 1.1.2 What was changed?

The new AMEP contracts mandated (among other things) that as from 1st July 2017:

   1.  curricula other than the CSWE may be used
   2.  reports on AMEP entitlements and learning outcomes should be made using the **Australian Core Skills Framework (ACSF).**[7]

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[6] AMEP tuition entitlements end *either* when **entitled hours have been completed** *or* when **'functional English' is reached**. Previously, 'functional English' was determined as achieving ISLPR Level 2 or satisfactorily completing CSWE Certificate 3. Entitlements are more complex and varied in the SEE Program and crucially depend on whether Centrelink determines if a person is a job-seeker: see section 2.3 below.

[7] 'Functional English' 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. Students who have achieved ACSF Level 2 indicators and CSWE 3 are therefore allowed to enrol in another curriculum and to continue to study till ACSF Level 3 is reached. For a description of the ACSF,

The latter change is shown diagrammatically in Figure 2 below.
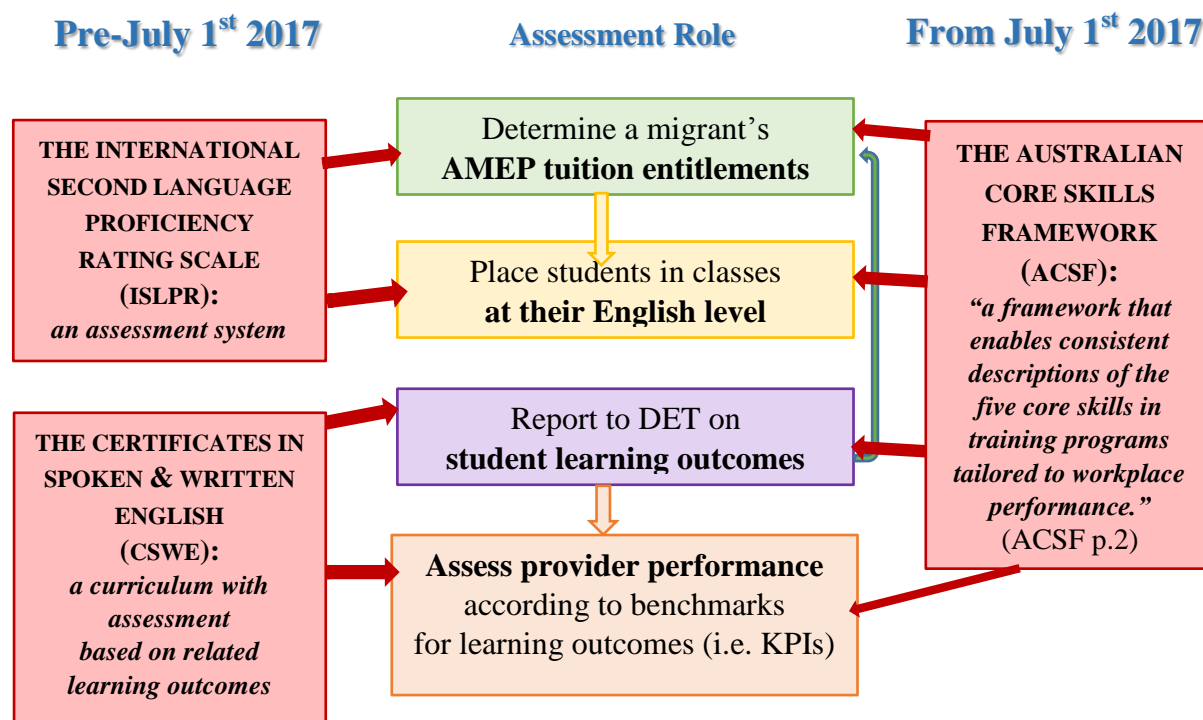


**Figure 2: The switch to the ACSF from 1st July 2017**

The move to allow curricula other than the CSWE is relatively non-controversial. It would have been manageable if the ISLPR had been maintained for initial assessments and using the CSWE or other accredited English as a second/additional language curricula for reporting on learning outcomes and determining on-going entitlements.

> *However, replacing assessment tools designed for the AMEP with the ACSF*
> *has had catastrophic and costly consequences because:*
> i. *the ACSF is unsuitable for English language learners*
> ii. *it is overly and unnecessarily complex and is placing an unachievable administrative burden on managers and teachers*
> iii. *it is massively diverting teachers from planning and teaching effectively*
> iv. *it is seriously threatening stability, morale and professional standards*
> v. *it is redirecting the AMEP from its core business of teaching English for settlement*
> vi. *it is directing substantial human and material resources to purposes that are counter-productive and unnecessary.*

The following outlines the rationale for this change and its consequences.

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### 1.1.3 The rationale for switching to the ACSF

In a recent speech, the Assistant Minister for Vocational Education and Skills clearly implied that the new contract requirement for use of the ACSF in the AMEP followed from recommendations in the 2015 ACIL Allen Review of the AMEP and SEE Program.[8] In fact, the ACIL Allen recommendation was far more circumspect:

> **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.[9] (our emphases)

This mapping research is described as follows:

> 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. The government will also then be in a position to consider the extent to which other Training Package units, such as the Foundation Skills Training Package which are already mapped to the ACSF could be used alongside the CSWE curriculum.[10] (our emphasis)

**No publicly available report from the above research exists,** as far as ACTA can ascertain. However, in 2013 Adult Migrant Education Services NSW had produced a one-page document that shows approximate equivalences between different proficiency scales and reporting systems: see Appendix D. It is unclear whether the ACIL Allen description above refers to that document.

If assessment experts were consulted, it is difficult to comprehend how the current AMEP contracts could have so profoundly misunderstood the difference between:

i. **mapping approximate equivalences** between levels in various different assessment systems *and*
ii. changing from **using two purpose-built assessment systems (the ISLPR and the CSWE) to third system (the ACSF)**, attempting to **adapt the third to include what the other two systems assess**, and operationalising the result in actual assessment practice, i.e. **to perform the tasks shown in Figure 1.**

The document in Appendix D is an example of (i), that is, of how equivalences can be mapped so that anyone can see **how a level in one system** might equate (approximately) to **a level in another**

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[8] For the Minister's explanation and reference to this Report, see https://ministers.education.gov.au/andrews/address-amep-and-see-provider-forum.
[9] https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf p. 26
For full details recommended, see
https://docs.education.gov.au/system/files/doc/other/amep_evalution_report_-_for_public_release.pdf Recommendations 5 and 6, pp xii, and https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf pp. xi-xii. The ACIL Allen Review seems confused and apparently assumes that the same assessment system can be used across the whole VET sector (and between the AMEP & SEE Program).
[10] ibid.

**system**.[11] This mapping would meet the stated objective of facilitating pathways between the AMEP and other programs.

No credible expert would endorse the task described in (ii) above, because it is fundamentally impossible. However, this task is precisely what the Quality Assurance provider is now asking AMEP teachers to do.[12] It is a task is well beyond teachers' expertise (or that of the Quality Assurance provider), extremely time-consuming and unachievable with any degree of validity or reliability.[13]

Switching from the ISLPR and CSWE to the ACSF (much less integrating all three systems) **will *not* facilitate pathways into the SEE Program and wider VET system**. Mapped equivalences (as per Appendix D) are sufficient. If providers want more information on incoming students, they do their own in-house assessments, as reported to ACTA:

> *Learners finishing AMEP hours and going on to do further training related to language or work are given an assessment prior to entering the course, thus the ACSF score is not required by other providers.*[14]

A "map" such as that in Appendix D is useful. It allows different providers to interpret English language levels achieved in various courses. However, the current requirements have made it more difficult to interpret what learners have achieved in the AMEP, as is noted in one report to ACTA:

> *It used to be that after completing their 510 hours, students would exit with a Certificate showing what they'd achieved in the CSWE. Now they have nothing. Maybe a couple of ACSF indicators but that means nothing to the students or anyone else.*

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> ***In short, the decision to require AMEP providers to <u>use</u> the ACSF***
> ***is based on profound ignorance of what is entailed***
> ***in using an assessment system.***
> ***It has set AMEP providers a task that is***
> ***impossible, pointless and counter-productive.***

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[11] For other examples, see the equivalences stated in Recommendation 5 above, the answers to a Question on Notice in Supplementary Budget Estimates Hearing Immigration and Multicultural Affairs Portfolio on 30 October 2006 236, Output 2.1, and the levels mapped on the Department of Home Affairs website: https://www.homeaffairs.gov.au/lega/lega/form/immi-faqs/aelt

[12] The Quality Assurance Provider for AMEP and SEE Program, Lynda Wyse and Associates, are managing this process. This group were part of the project team that developed the ACSF, which was a revision of the previous National Reporting System (NRS). Their credentials in developing tools for assessing learning English as second/other language warrant investigation. Had they the relevant expertise, they would surely have advised the Department of the insanity of the task in which they and teachers are now engaged. Their current involvement arguably verges on a conflict of interest and certainly militates against transparency in regard to the difficulties teachers are now reporting: see Issue 3 below, section 3.3 re the "verification" process.

[13] An analogy would be to decide that the indicators used to determine engineering qualifications should be applied/adapted to determining those in architecture. While it is possible to determine approximate equivalences between qualifications in engineering and architecture (or even between different expert fields within Engineering and Architecture), it is an entirely different task to attempt to *translate* indicators of engineering expertise into indicators of architectural expertise.

[14] For example, a provider offering Certificates in Child Care might specify that new entrants achieve Level 3 (or equivalent) in the CSWE. However, reputable providers would also assess incoming students against their own course criteria to determine these students' placements in appropriate classes and at appropriate levels. What the ACIL Allen reviewers meant by "formally adopting the mapping framework" is unclear and possibly misguided but we note that they recommended "consideration" by experts as distinct from directly proceeding to adopt the ACSF.

### 1.1.4 The ACSF is invalid and unreliable in assessing English language learning

Many ACSF indicators are **invalid**, because they are:

- **insufficiently specific** to identify starting learner points and learning pathways[15]
- **inappropriate** for English language learners[16]
- **unnecessarily complex**[17]
- **impossible** to determine objectively.[18]

Consequently, teachers cannot use the ACSF **reliably**, i.e. with any consistency.

The creation of "pre-Level 1" indicators in the ACSF[19] does nothing to mitigate these problems because the subsequent levels are based on the false assumption that English language learners are no different from native speakers with literacy needs.

These same problems apply to use of the ACSF for English language learners in the SEE Program, especially at lower levels (see Issue 2 below).[20]

To be used with *any* degree of validity or reliability to report on English language learning outcomes in the AMEP and SEE Program, the ACSF would require extensive revision, a task requiring considerable expertise in assessing the learning of English as a second/additional language, which AMEP teachers and the Quality Assurance provider lack.

> *In its current form, the ACSF has no validity or reliability*
> *for mapping progress in English language learning.*
> *The ACSF is not suitable for assessing and reporting*
> *on English learning outcomes.*

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[15] 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 the Preliminary Level versus Level 1, so it is impossible to determine *with any consistency* which Level a learner is at.
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".

[16] 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.
(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.

[17] 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..

[18] 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.

[19] https://docs.education.gov.au/system/files/doc/other/acsf_prelevel_1_2017.pdf
The current Quality Assurance provider, Lynda Wyse Associates, was involved in the development of this Level.

[20] See also http://www.tesol.org.au/files/files/468_ACTA_2014_Anh_Le.pdf

## 1.1.5 Deleterious effects of switching to the ACSF

Some of the consequences of requiring providers to switch to the ACSF on 1st July 2017 are as follows.

- **No ACSF baseline data existed for students continuing on 1st July 2017**, making it impossible to ascertain when/if they had exhausted their entitlements.
- Teachers now report against Key Performance Indicators for learning outcomes using an assessment system that **does not relate to the curriculum they teach**, viz. the CSWE or alternative English language curricula.
- The accredited courses taught in the AMEP (the CSWE and others) have licencing conditions that mandate use of their particular assessment systems.[21] Using the ACSF now requires those teaching accredited courses to **double assess** each client's progress. The workload is causing teachers and providers to abandon accredited course assessments.[22]
- This workload is compounded by continuous enrolments, that is, people may enrol in and enter AMEP classes at *any* time in a term. A**ssessment is therefore individualised** according to each person's particular starting date and, as contracts require, on completing 200 and 400 tuition hours.[23]
- Attempting to lessen this assessment load, and because the CSWE is no longer mandated, some AMEP teachers are using the ACSF as a de facto alternate curriculum.[24] This coping strategy means that **key aspects of English language learning are being omitted,** including settlement content, basic grammar and features of pronunciation**.**
- Some providers appear to be searching for curricula that might accord more closely with the ACSF; if adopted, such curricula will **divert provision away from the AMEP's core business of teaching English in the context of settlement**.
- **An adequate bank of assessment tasks** (much less trialled tasks) does not exist for teachers to draw on and to facilitate consistent assessments.
- "Translating" the ISLPR and CSWE into the ACSF is impossible because of the intricacy and extent of ACSF indicators. Teachers are attempting to use ISLPR and CSWE assessment tasks in order maintain some degree of validity while also **extending these tasks to include irrelevant ACSF indicators.**
- The impossible and pointless task of integrating three assessment systems (the ISLPR, the CSWE/alternatives and the ACSF) is massively **diverting teachers from lesson preparation and teaching**.
- Providers are now **redeploying teaching staff** to respond full-time to assessment and auditing requirements.
- Teachers are now **coaching students to achieve indicators** that do not relate to how the English language is learned.
- The new contracts have admitted **providers and unqualified teachers who have no experience in using *any* educational assessment system**, much less complex English language assessments (see 3.3 and Appendix B below).

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[21] The Pre-Employment stream must offer accredited courses.

[22] Some providers are continuing to use the ISLPR for placement because they regard it as providing more accurate and useful information. In those cases, and when teachers teach more than one accredited curriculum, they now undertake three different types of learner assessment.

[23] The rationale for continuous enrolment relates to maximising client reach. See:
http://www.ameprc.mq.edu.au/docs/fact_sheets/06TeachingStrategies.pdf
Because of the impossibility of this requirement, some providers are now allowing teachers to undertake group assessments of students in a period that follows completion of their 200/400 hours.

[24] This practice is being condemned by authorities.

- Students exiting at least some AMEP providers **no longer have anything to show for it** (that is, a recognised Certificate at a recognised Level).

> ### The switch to the ACSF has substantially diverted the AMEP and its teachers from their core business of teaching English to adult migrants.

## 1.1.6 Examples from teacher reports

The following teacher reports since the beginning of 2018 are clear evidence of the deleterious effects of the switch to the ACSF.

**Work load**

> *To report against <u>one</u> indicator for <u>one</u> student could take up to 6 hours, depending on the type of evidence. All speaking tests must be transcribed and reported on. All writing tests must be marked for 80% of the performance features. It's impossible. If each teacher had to provide evidence, do the assessor analysis and report writing for all the students coming up to their 200 and 400 hour attendance level, there are not enough hours in the day.*

> *Assessment tasks that used to be one and two pages long are now double or triple the size.*

> *I have to complete an incredible amount of paperwork when doing an assessment. Also because of Immigration policy there are an inordinate number of 6 and 12 month extensions - a waste of time for all.*

> *The initial interviews for AMEP students merely to enter a class have increased by at least an hour. There is also endless paperwork and forms even if the student speaks little or no English! SEE interviews also average 2 hours. On a 0.6 contract, prior to June, I spent a maximum of 2-3 hours a month on interviews. Now I am given 1 per week totalling approximately 8 hours per month with the excess paperwork. I teach for 10 hours per week and co-ordinate a full-time course. As a teacher with 37 years' experience, I expect to take some work home but now, like my colleagues, I find I am often doing administration, answering email as well as doing some of my preparation at home. My levels of anxiety and frustration have increased.*

**Assessment undermining teaching**

> *This contract demands progressive "assessments" every 200 hours for each student, plus paperwork. Given that we have continuous enrolment, this means students often have to be tested individually as they complete their hours at different times. This does not mean delivering one test but at least two per student, while somehow teaching a class of sometimes up to 20 students. We can deliver these tasks to the whole class, but often the tasks do not fit in with what we are delivering at the time.*

> *In all my years of teaching in various countries I have never experienced such a ludicrous situation, with more emphasis on paperwork and administration than the lessons we deliver and the pastoral care we provide.*

> *Longer tests are becoming the norm with the new requirement to report on the performance of "strategies".*

> *Both AMEP and SEE programs hold "Verifications" or audits, the SEE one to be held next week and the following. For this, staff are expected to attend a 2 hour preparation meeting and then write up a report on 2 initial interviews! Another time-wasting, self-serving, tickbox activity which does not assist students or contribute to teaching and learning in any way. No-one comes into the classroom any more to see what we are actually doing or observe the kind of students we are teaching – many of whom are refugees. Our PDs and staff meetings are dominated by either meetings with HQ on how to fill in forms or how to "deliver" the new AMEP. There is no time for real discussion on teaching and learning or sharing of materials.*

> *It consumes so much of our time that we spend less time preparing for class.*

*Reporting using the ACSF in AMEP classrooms is wasting teaching and learning time and having a negative impact on the learners.*

*Certainly I DO NOT have adequate time to prepare classes because I'm constantly doing the extra admin in terms of recording the assessments and the copious amounts of paperwork in terms of the criteria that they have to meet, and constantly filling in forms. So at the end of the day the class suffers. The students are suffering.*

## Disjunct between the curriculum and the ACSF

*When we follow a curriculum like CSWE and complete learning outcomes, the evidence/the test is there. No extra work required and the result is great. We know their level by how many outcomes they have completed. No ACSF is required.*

*We don't have time any more to assess students against CSWE outcomes.*

## Inappropriate assessment requirements

*I have just come back from a day doing the initial assessor training. I can now say with authority that it's horrendous. Believe me, there was enough criticism of the assessment process today to fill 100 pages. Everybody has had enough.*

*Just looking at the newly created 'reading running record key' for reading aloud as required by the ACSF, one wonders if the creators of the ACSF know much about reading in a second language.*

*Using the ACSF in the AMEP we are now assessing the performance of learners reading aloud. REALLY?! And how long does this take for each learner? Lots of class time.*

*We need to continue to use a curriculum based on second language acquisition research and not one newly created to tick the boxes for every language, literacy and numeracy adult learner in Australia.*

*I started with a new class today. Their initial ACSF assessment showed them as being at an extremely low level and I prepared accordingly. In fact, most of them are completely literate in their other language and some are very well educated. But the ACSF can't show this because if they have no English, they must be illiterate.*

*The ACSF is inappropriate for an English language program with focus on settlement. There is also no suitable curriculum to go with it. Mapping CSWE curriculum to ACSF requirements is awkward and time consuming. It's very difficult to assess students at the correct level, so by default they are assessed at a lower level.[25]*

*Some of the ACSF inspired questions are ridiculous for ISLPR 0 and 0+ clients.*

*Questions to meet ACSF requirements are suspect as they are often testing cognitive strategies. Students don't understand the question and need to be coached through it. But this is not permitted at level 3, which specifies no support to be given.*

*A student of mine in CSWE III was almost declared ineligible for a SLPET course (which she was very keen to do), because she was assessed as having a lower ACSF score than the others in the class. I had recommended her on the basis of her CSWE assessment tasks which she did well in and her overall performance in class.*

*The focus should be measuring what language learners are able to achieve in practical terms, not measuring cognitive processes.*

*The assessment performance indicators can't ever be made obvious to students because the English is too complex. But assessment with adult learners should be open and transparent. With the CSWE we give them all the criteria they will be assessed on before test. It's impossible to do this with the ACSF.*

*Aspects of using the ACSF that are proving to be difficult, time-consuming, and unreliable include: writing down observations of learners while they are reading aloud and silently, interpreting if strategies in each learning area are being used, interpretation of body language, etc. In addition, it*

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[25] Note: this problem will allow providers to report false gains against learning KPIs.

*takes huge amounts of time to transcribe and label speaking and writing samples. Then there is the contrived questioning and reporting now required.*

*The ACSF is a reporting instrument that very experienced and highly educated ESOL teachers are finding impossible to use in a meaningful way. Is this not a commentary on the reporting instrument itself? As one teacher said to me, 'Using the ACSF is like being swamped by a tsunami and told to find a coconut tree.' How fortunate we still have our sense of humour!*

*The new AMEP progressive assessment tasks are ridiculous. Many students simply do not show much "progression" especially if there are 2 weeks Easter holidays in between testing!*

*It doesn't make any sense. It doesn't work. It doesn't achieve what it's supposed to achieve. It's not a good way of assessing student learning because it's too complicated and too time-consuming.*

## Inefficiency and misuse of teachers' time

*Large centres get audited on, say, 20 students and are told about the students to be audited a few weeks before. This means in one class of, say, 20 students, 1-2 will get audited, max. In some centres a team of teachers is employed to do the assessor analysis and write reports, using evidence the class teachers have scanned. This is the only way the ACSF could realistically be reported against. And that is just with 20 students to audit in a large centre. And still just testing and scanning to have the 'right' evidence is a big burden for the class teacher.*

*An administrator in our department has been employed simply to deal with these tests and input the data. What a waste of money!*

*The focus on assessment rather than learning is causing an enormous amount of admin for teachers.*

*EVERY task is required to have a 3-4 page cover sheet PRINTED for the auditors, or printed so it can be signed.*

*Assessment results based on English language curriculums like the CSWE already give an excellent picture of a learner's language level without the need to have a separate reporting instrument.*

*Let the teachers teach instead of wasting our time, making us wade through heaps of paperwork in endless AMEP and SEE interviews, progressive "assessment", and worst of all self-serving verifications. This is simply job creation for petty bureaucrats.*

*In my workplace I believe 100% of the teachers are finding the complexity of the dual assessment and auditing system/maze for AMEP absolutely crazy and unworkable. In fact, "maze" is a more appropriate word here than "system".*

*It's overkill. It's repetitious and completely unnecessary.*

## Gaming the system

*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. Contrived practices also include observing 'each' student when they read to write down an observation on each student in the class. Can one do this? I don't think so, especially when you don't think it is giving worthwhile evidence.*

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

*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.*

*The new system is a license to cheat.*

**Undermining provision**

> *My feeling is that … [name of employer] is slowly sinking under the weight of all this assessment pressure. They have new 'clients' backed up on the waiting list for at least two months because they don't have enough assessors. We also had yet another staff member leave today.*

> *Nobody is doing anything properly. Nobody even understands <u>how</u> to do anything properly or what 'properly' is any more. It's a complete mess!*

**An extended report that encapsulates all of the above**

> *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'.*

> *This also happens in the other learning areas of learning, reading and writing. Learners do tests as a whole class activity to ensure there is evidence that can be reported. In contrast, under the old contract, assessing using ATB assessment tasks and using just the test itself as evidence of language level was a far more accurate way of measuring learning and progress in English as the answers to the test questions speak for themselves without having to collect other unreliable evidence or invent it.*

> **These reports provide evidence that**
> **reporting on learning outcomes in the AMEP based on the ACSF**
> <u>**is no longer credible.**</u>

## 1.2 Reporting attendance

The scale of this disaster is compounded by the multiplying and increasingly minute details on which providers are required to report.

For example, providers are funded **at an hourly rate according to the numbers of students recorded as present in classes**. Teachers are therefore required to record absences from their classrooms **every 15 minutes**.

Our reports are that this requirement is being ignored. For example:

> *With the new AMEP rolls we are supposed to record if a student arrived late or left early or has an approved absence with various codes. Needless to say with 20 in the class, this is impossible and ridiculous. I generally ignore this.*

*I don't like doing admin in class time unless absolutely necessary as students lose out. But filling in the rolls after class does take a long time. I think we have to be realistic about how much we record or we would be at work till 8pm.*

*Most of our teachers keep an in-house sign in book which students are keen to sign and keep up. That helps us to remember who was in class and when.*

Other requirements for reporting on attendance were described by teachers as follows:

*Currently, if a student does not attend class or is absent for part of a lesson, the provider does not receive money for that time. Despite this, teachers and admin staff must do the following: contact all absent students and find out the reason why they were absent if a reason was not given; ensure that students provide written evidence of all doctors' appointments, illness, holidays etc. and collect and store this evidence; record all absences and partial non-attendance each day and use a coding system to identify the type of non-attendance (e.g. holiday, illness or unexplained). This is an enormous amount of extra work placed on the teachers and admin staff, and for no benefit to the provider. Teachers spend much of their teaching and preparation time doing this work.*

*All we do these days is mark the roll and assess students.*

*In larger institutions, such as Unis and TAFEs, we also have to have our own institutional student register. Coordinators type or write in the student names, numbers and contact details every term and stick endless documents at the front and back of the register. We also do all the enrolments – tricky with students if they move up a level. There is also a SEE roll of course.*

More generally, others wrote:

*There are more forms than ever and they have also got longer!*

## 1.3 No AMEP data management system

Prior to the re-location of the AMEP from the Immigration to the Education portfolio, the AMEP had a well-developed computer-based data management system, the AMEP Reporting & Management System (ARMS).[26] For the new contracts, no such system was – or is – in place.

The factors contributing to this extraordinary gap have been greatly complicated by the switch to using the ACSF, which entails complete reworking of eligibility and learning outcome KPIs, on which entitlements and, to some extent, provider performance are assessed (see 1.1.1 above).

Clearly, the data management implications of the combined switch in portfolios and changes to crucial KPIs were not thought through. The consequences have been disastrous for Departmental officials, provider managers and teachers, with thousands of Excel sheets now being manually prepared and submitted by providers (teachers and managers) and processed by the Department. The work entails hundreds of unpaid teacher hours and paid overtime for others.

## 1.4 Why the switch to the new contracts fails key performance criteria

The criteria by which Government-funded programs are audited are as follows:

- **economy** (minimising cost)
- **efficiency** (maximising the ratio of outputs to inputs)
- **effectiveness** (the extent to which intended outcomes are achieved)
- **ethical use and management of public resources**.[27]

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[26] Australian National Audit Office (ANAO) Report No. 40, paras 4.24 & 4.25.
https://www.anao.gov.au/sites/g/files/net616/f/anao_report_2000-2001_40.pdf
[27] See "performance audits" https://www.anao.gov.au/work-program/introduction-2017

The transition to the ACSF, excessive reporting requirements, and the failure to install a computerised data management system fail these key performance criteria as follows.

1. *Cost – resources have been massively diverted and wasted.*
2. *Efficiency and effectiveness –*
   - *the AMEP has been radically deflected from its core business*
   - *the basis for assessing the AMEP's efficiency and effectiveness has been destroyed.*
3. *Ethical use of public resources: provider managers and teachers have been –*
   - *placed under huge stress*
   - *forced to work excessive unpaid hours*
   - *pressured to game the system and act contrary to professional principles.*

# ISSUE 2:
## The Adult Migrant English and SEE Programs – unworkable, overlapping, inconsistent & unnecessarily complex goals and practices

### 2.1 Separate Programs: the rationale?

The separation of the AMEP and the SEE Program follows from their previous location in different Commonwealth Government Departments.

In 1992, it was determined that the hitherto undefined role of the AMEP within the Immigration portfolio was to serve as a limited initial English language program in the context of settlement for newly arriving migrants with minimal/no English. Tuition entitlements were therefore restricted (and protected in legislation) to **510 hours tuition for new arrivals with less than "functional English"**.[28]

The SEE Program is the most recent iteration of a succession of labour market programs managed by the now Department of Education and Training (DET).[29] It is 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".[30]

The 2015 ACIL Allen Review of both Programs concluded that they served two different functions (viz. assisting *settlement* versus *employment*) and recommended that their separation continue.[31]

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[28] For what is meant by "functional English", see footnotes 2 and 3 above.
[29] Its predecessor was the Language, Literacy & Numeracy Program (LLNP), which it replaced in 2002.
[30] https://www.education.gov.au/skills-education-and-employment
[31] See ACIL Allen *SEE-AMEP Alignment Report* Key Findings 1 and 2, pp. 5 & 7:
https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf .

However, the actual data documented in this Review's volume on the relationship between the two Programs clearly identifies unproductive overlaps and unclear goals.[32]

The justification for these separate Programs is their supposedly distinct functions and desired outcomes, which are proposed as governing their management, teaching content and methodology, and reporting and accountability. This justification is unsupportable in actual practice because it takes no account of the starting points of students within the two Programs, what is known about learning processes, and the interrelationship between "settlement" and "employment".

The disjunction between the stated purpose of these two Programs and the realities of actual practice has become increasingly obvious in successive contracts, including the present ones.

Currently, the following questions have no clear answers.

## 2.2 The AMEP: *is it now a settlement program?*

This question relates to three dimensions of the AMEP:

    i.   its limited tuition hours
   ii.   its focus on low proficiency new arrivals
  iii.   the focus of course content.

### (i) Restriction to 510 hours tuition

This limitation on the AMEP has been problematic from the outset. **510 tuition hours have been consistently and repeatedly criticised as insufficient to allow many of those with minimal/no English proficiency to achieve so-called "functional" English**.[33] It rests on a "one-size-fits-all" assumption that takes no account of the factors contributing to speed and success in learning another language (notably: previous education, age, experience of trauma, and the imperatives on newcomers to find work and meet family responsibilities).[34]

This criticism was inevitable. The 510 hour restriction had *no* evidential basis in administrative or research terms.[35]

A further problem in this limit on AMEP tuition hours is that a sizeable number of low proficiency learners who have completed their entitled hours have no viable pathway into further English tuition.

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[32] 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.

[33] 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 *AMEP Evaluation Report*, only 7 per cent of AMEP clients complete their entitlement at "functional English" level and over a quarter of clients leave well below: https://docs.education.gov.au/system/files/doc/other/amep_evalution_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*, whose Recommendations 4 and 5 address this problem: https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Report

[34] 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

[35] 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 Government 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.

These learners are blocked by the eligibility requirements that attach to the supposed and only pathway, namely the SEE Program (see section 2.3 and 2.4).[36]

In response to this problem, successive AMEP contracts have variously increased tuition hours entitlements for selected clients.[37] However, these **extended hours are capped within providers' overall budgets**.

> *The increased entitlements to AMEP tuition hours for various learners are to be welcomed.*
>
> *However, since 1992 these on-going increases demonstrate that the attempt to define the AMEP with reference to limited tuition hours was poorly grounded.*
>
> *The continued extensions to AMEP tuition hour entitlements are evidence that its role requires re-thinking.*

**(ii) Limitation to new arrivals with less than "functional English"**

The main issue that has emerged as problematic in regard to new arrivals is the requirement that they must register for the AMEP within six months' of arriving in Australia, take up their place within twelve months, and complete their tuition hours within five years.[38] Submissions to the 2017 *Inquiry into Migrant Settlement Outcomes* reflect on-going and consistent criticism of this requirement on the grounds that it fails to take account of migrants' life circumstances and particularly women's child rearing responsibilities. As one teacher report to ACTA states:

> *The 5-year limit for access to the AMEP is discriminatory, especially for women with young children.*

In the light of this evidence, the Inquiry recommended extending registration and commencement times to two years and completion time to ten years.[39]

Until the switch to the ACSF, "functional English" was officially interpreted as above ISLPR Level 2.[40] In 2017, the Government proposed to require those applying for Citizenship to achieve a high level of English proficiency (Level 6 in the International English Language Testing System/IELTS, which is approximately equivalent to ISLPR 3 – see Appendix D). This proposal highlights (among other things) the absence of provision for new arrivals with higher English levels. A submission to the 2017 *Inquiry into Migrant Settlement Outcomes* documented the efficacy of short English settlement courses for new arrivals with higher English proficiency.[41] There is also a significant gap in bridging courses for those seeking qualifications recognition in Australia. ACTA's proposed refocussing of the AMEP takes account of these gaps: see Recommendation5-7 above and Appendix C.

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[36] Various criteria restrict entry to the SEE Program, notably various visa categories, whether the person is assessed as a job-seeker, and his/her estimated ability to achieve a specified number of learning outcomes. This last criterion rules out those who might be most in need of further English tuition. Assessments are done by Department of Human Services (DHS) and Employment Service Providers: see https://www.education.gov.au/skills-education-and-employment Their expertise does not relate to English language learning.

[37] Alternative solutions have been proposed but failed. See, for example, the 2003 DIMIA *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants*, Recommendations 46-47 and discussion pp.263-264.

[38] https://www.education.gov.au/adult-migrant-english-program-0

[39] https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Report Recommendation 4.

[40] See footnotes 2 and 3 above.

[41] https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Submissions Submission 25 (p. 5) documented evidence that a 4 week intensive course for skilled professionals substantively improved their employment situations (89% found work; 64% were in a professional occupation; 80% rated the course as very useful).

> ### *Substantive evidence exists that settlement outcomes would be enhanced by*
> ### <span style="color:red">*lessening restrictions on participation in the AMEP*</span>
> ### <span style="color:red">*and increasing its range of offerings.*</span>

**(iii) Settlement focus.** The settlement focus of AMEP tuition, which combines learning English in the context of useful settlement information, has been consistently documented as its major strength in all reviews and other literature.[42]

Most recently, the first recommendation of the ACIL Allen Review of the AMEP was that this focus should remain.[43] However, the Review also notes ***"stakeholder concern that an increasing emphasis on employment and economic participation will gradually start to displace the programme's primary objective of settlement"*** [our emphasis].[44] The current contracts bear out these concerns as follows:

i. the ACSF has been mandated in order to align the AMEP with the overall VET sector but with no thought given to the implications or actual need to do so
ii. the AMEP has been split into "pre-employment" and a residual "social English" stream
iii. teachers have been re-designated as "trainers" (as distinct from teachers) in line with VET terminology and lesser qualification requirements.

**Re i:** see Issue 1 above.

**Re ii:** The rationale for splitting the AMEP was most explicitly offered in answers to Questions on Notice in Supplementary Budget Estimates 2016-217 from the Senate Committee: Education & Employment. These answers were inadequate, ill-informed and, in places, misleading: see Appendix B.

The requirement to offer separate streams, and therefore the need to fill these classes, is constraining both providers and students.

If given a choice, the latter are overwhelmingly opting for the pre-employment stream because they perceive the "social English" stream as inferior. Because providers cannot fill "social English" classes, they are placing students registered in both streams in the one class. As one teacher reported:

> *I think we might have social stream students but they're probably in with the pre-employment students. I don't know who they are.*

**Re iii:** see 3.3 below.

Current reports from teachers confirm that teaching in the AMEP is shifting from key settlement issues to narrow and unrealistic employment goals, including for beginners, the elderly and women exclusively engaged in home duties. As noted in one teacher report:

> *The move to "Jobs" focus for all AMEP levels (including Preliminary!) detracts from other important settlement topics, such as Health, Education, Law, Community etc.*

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[42] This success was such that in 200-2001 an integrated English and Citizenship course was developed at considerable cost and with documented success. See ACTA supplementary submission to the Senate Inquiry to the Citizenship Amendment Bill: https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/CitizenshipBill2017/Submissions The course is now held in the National Library of Australia but is unavailable elsewhere: http://trove.nla.gov.au/work/19551293?selectedversion=NBD41691166.

[43] https://docs.education.gov.au/system/files/doc/other/amep_evalution_report_-_for_public_release.pdf p. x, Recommendation 1.

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

> ***In short, the current AMEP contract undermines the Program's***
> ***<span style="color:red">universally endorsed settlement goals</span> and***
> ***<span style="color:red">its integrated, flexible and targeted approach to teaching English.</span>***

## 2.3 The SEE Program – *who are its actual clients?*

The SEE Program is defined and managed in terms of its brief to assist "job seekers". However, this client description obscures and confuses crucial and relevant differences between **the learning needs of three quite different groups of people**:[45]

### *(i) English language learners whose previous education has been wholly or largely in non-English speaking countries*

These learners constitute a major proportion (approx. 68 per cent) of SEE clients.[46] They include:

   i. those who have exhausted their AMEP hours
   ii. those who have not accessed the AMEP within the prescribed time after arrival
   iii. new arrivals and longer term residents who are assessed as having with more than so-called "functional English", including some who are fully literate in their first/other language.

Although diverse, this group has in common the need to learn **listening, speaking, reading and writing _in_ their new language (English) in the context of moving between their homeland and Australian society and culture**.

These learning needs are best met by appropriate, evidence-based methodologies for English language teaching, taught by those with specialist qualifications in this field and skilled in teaching at various levels and to meet different needs and aspirations.[47]

### *(ii) those born or mostly schooled in Australia, whose dominant or only language is English, who are experiencing unemployment (long-or short-term) or who seek literacy and numeracy skills upgrading*

**The linguistic, social and cultural assumptions and expectations of this group stem from their experience of life and schooling in Australia**. They are effectively **native speakers of English**.

This group commonly requires tuition that addresses the causes of unproductive schooling experiences in the context of meeting basic literacy, numeracy, employment and motivational needs.[48] The required expert teaching is different from that in the AMEP and an English language learning program.

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[45] See also https://docs.education.gov.au/system/files/doc/other/see_programme_evaluation_report.pdf section 3.4 pp. 23-25; Chap. 4, p. 26 ff.

[46] ACIL Allen *SEE Evaluation*, p. 35; see also Figure 12, p. 36: https://docs.education.gov.au/system/files/doc/other/see_programme_evaluation_report.pdf

[47] This specialist teaching field has been well-developed since the 1970s. A Bachelor's degree and a specialist qualification in teaching English to speakers of other languages (TESOL) is a minimal teaching qualification requirement. See, for example, the ACIL Allen *AMEP Evaluation*, section 3.3, Figure 4, p. 20: https://docs.education.gov.au/system/files/doc/other/amep_evalution_report_-_for_public_release.pdf

[48] Higher level SEE Program classes also attract people seeking promotion or jobs that demand higher literacy skills than they command.

*(iii) Indigenous Australians*[49]

Aboriginal and Torres Strait Islanders may be native English speakers or speakers of other languages or distinct creoles. Indigenous students require different types of expert teaching that is knowledgeable about and responsive to their linguistic and cultural backgrounds, and their educational history.

The key features of these different learner groups are shown in Figure 3.

| Background | English Learning Needs | Appropriate Tuition Focus |
|---|---|---|
| **Group 1:**<br>**Arrived in Australia in the past 5-6 years.**<br><br>Previous education:<br>• not in Australia<br>• ranges from none/minimal to very high level. | Ranges from complete beginner in English to advanced proficiency.<br><br>May or may not have literacy in another language. | Specialist and targeted tuition in English listening, speaking, reading & writing; grammar, vocabulary, pronunciation, & pragmatics appropriate to social and cultural contexts.<br><br>Knowledge about Australian society & culture.<br><br>May or may not require basic educational knowledge and skills (literacy, numeracy, learning-how-to learn). |
| **Group 2:**<br>**Australian-born or long-term resident.**<br><br>Educated mostly or all in Australia.<br><br>Short- or long-term unemployed. | Literacy that builds from existing English native speaker competence.<br><br>Employment-related. | Basic literacy & numeracy.<br><br>Job-ready skills.<br><br>Confidence building that addresses previous poor school experiences. |
| **Group 3:**<br>**Aboriginal or Torres Strait Islander.**<br><br>Living in/coming from urban, rural or remote areas. | Literacy that builds from existing competence in Standard Australian English (SAE) or Aboriginal varieties or Indigenous languages.<br><br>May or may not need to acquire spoken Standard Australian English (SAE).<br><br>Employment-related. | Specialist culturally and linguistically aware programs and teaching.<br><br>Job-ready skills. |

**Figure 3: Distinct Learner Groups Currently in the SEE Program**

Teachers report that SEE providers are now **combining these different types of learner in the one class (including AMEP students if they also hold AMEP contracts) to the detriment of all.**

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[49] According to the ACIL Allen *SEE Evaluation*, approx. 8 per cent of clients are Indigenous: https://docs.education.gov.au/system/files/doc/other/see_programme_evaluation_report.pdf p. 36.

A teacher report summed up the problem of combining these different learners as follows:

> *The SEE program is ostensibly for both ESL[50] and native speakers with literacy needs but the vast majority of students are ESL and require specialist training. Literacy for native speakers is NOT the same as ESL.*

Use of the ACSF with English language learners in the SEE Program encounters precisely the same problems as in the AMEP, namely indicators based on approaches to teaching native English speakers with literacy and numeracy needs.

Confusion about the goals and role of the SEE Program extends to its **relationship to Centrelink**:

- client referral to the SEE Program (but not the AMEP) comes through providers contracted to the Department of Human Services, commonly Centrelink agencies.[51] Their agents are frequently unaware of the SEE Program, fail to refer appropriate clients to it, and lack competence in assessing migrants who might benefit from English language tuition.[52]
- both AMEP and SEE Program clients are threatened with loss of benefits when Centrelink insists that they attend interviews and miss English classes. This problem has been consistently reported since the early 2000s.[53]

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*In short, the SEE Program's employment focus is both*
*too narrow and too broad in that:*

i.   *it obscures and confuses the distinct learning and tuition needs of those in the Program*
ii.  *it excludes those not assessed as job-seekers and those on various visas, although it is the only pathway from the AMEP*
iii. *it caters for the English language levels and learning needs that overlap with the AMEP*
iv.  *eligibility is determined by officials who:*
- *lack the requisite knowledge and*
- *enforce inappropriate requirements for English language learners.*

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## 2.4 The need for a thorough re-examination of Program goals in the light of actual practice

The actualities operating in the AMEP and SEE Program reveal the following inconsistencies and problems:

1. **Overlap between the two Programs**:
   i.  the SEE Program is in large (but not exclusive) part **an English language program for those learners who have not experienced schooling in Australia**
   ii. the SEE Program caters for English language learners **at all proficiency levels**, including beginners/near beginners who are ineligible for the AMEP[54]

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[50] ESL = English as second language.
[51] For the current list of agencies, see https://www.education.gov.au/skills-education-and-employment
[52] For data on referrals and take-up, see https://docs.education.gov.au/system/files/doc/other/see_programme_evaluation_report.pdf section 4.1.1, pp. 26-27.
[53] Most recently, see Centre for Policy Development (Feb. 2017) *Settling Better: Reforming Refugee Employment and Settlement Services* https://cpd.org.au/2017/02/settlingbetter/, p. 23.

iii. the **pre-employment stream in the AMEP now overlaps** with stated SEE Program goals.

2. **Inconsistencies**:

    i. although SEE Program is effectively the only English learning pathway beyond the AMEP, numbers of **those completing their AMEP entitlements are ineligible to access the SEE Program**

    ii. this problem has been recognised by **extending tuition hours beyond the specified 510 hours** for some students in the AMEP but these extended hours **are capped** within providers' overall budgets

    iii. some migrants with minimal/no English **are ineligible for both the AMEP or SEE Program**[55]

    iv. cuts to SEE Program funding have **reduced access** to that Program

    v. the dominance of English language learners in the SEE Program is liable to **deflect consideration of the needs of English native speakers and Indigenous learners**.

Problems relating to blocked pathways and lack of flexibility were documented at some length in the report of the *Inquiry into Migrant Settlement Outcomes* and were the subject of its Recommendation 4.[56]

If probed, the unworkable goals, overlap, inconsistencies, blocked pathways, complications and unwarranted justifications for separating the two Programs are obvious, despite the arcane bureaucratic justifications for this separation. In contrast to continuing with ad hoc fixes, the following questions require clear, considered and evidence-based answers:

- is the stated purpose of each Program reflected in its current operation?
- are these Programs the most effective, efficient and economical way to deliver –
    o English language tuition to adult migrants
    o native English speakers with literacy needs
    o Indigenous native speakers of English, distinct creoles or Aboriginal languages?
- how should referrals to and eligibility for each Program be improved?

A rational answer would adopt the following basic principles:

    i. **the AMEP** should target adult & older adolescent **learners of English as a second/other language whose education has been predominantly overseas** *whereas*

    ii. **the SEE Program** should target adults & older adolescents who **lack basic literacy and numeracy skills and whose education has been mainly in Australia,** *and*

    iii. **special provision** should be made for Indigenous Australians that properly distinguishes between their very different English and literacy learning needs.

Figure 4 below provides a diagrammatic outline of this proposal, which is elaborated further in Appendix C.

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[54] See Figure 3, p. 8, ACIL Allen *AMEP-SEE Alignment Report*. Chap. 2 of this report explores this issue in depth. https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf.

[55] They are ineligible because they have not taken up AMEP entitlements within the required time (see 2.2 (ii) above and/or are not assessed as "eligible job seekers" (see 2.3 re Centrelink above).

[56] https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Report pp. 51-52
See also ACIL Allen *SEE-AMEP Alignment Report* https://docseducationgovau/system/files/doc/other/see-amep_alignment_reportpdf pp. 5-6. Various criteria restrict entry to the SEE Program, notably various visa categories, whether the person is assessed as a job-seeker, and his/her estimated ability to achieve a specified number of learning outcomes. This last criterion rules out those who might be most in need of further English tuition.

| Program | Learner Type | Program Focus |
|---|---|---|
| **Adult Migrant English Program (AMEP)** | **Arrived in Australia in the last 5-6 years.**<br><br>**Previous education:**<br>• not in Australia<br>• none/minimal to very high level. | Specialist tuition in English as a second/other language – length and focus specific to learning needs & English levels. |
| **Skills for Employment & Education (SEE) Program** | **Australian-born or long-term resident.**<br><br>**Educated mostly or entirely in Australia.**<br><br>Short- or long-term unemployed. | Specialist adult literacy & numeracy tuition – focus on basic skills & job-readiness. |
| **Skills for Employment & Education (SEE) Program for ASTI learners** | **Aboriginal or Torres Strait Islander.**<br><br>Living in/coming from urban, rural & remote areas. | Specialist culturally & linguistically appropriate adult literacy & numeracy tuition. |
| **TAFE & University Bridging Programs** | **All of the above who have reached ISLPR Level 3 or equivalent** and are seeking:<br>• entry to TAFE or University programs<br>• overseas qualification recognition. | Higher level specific-purpose courses that focus on specific pathways into TAFE, University or employment. |

**Figure 4: Outline of Proposed Clarified Program Goals and Target Learners**

The relatively recent co-location of the AMEP and SEE Program within DET provides an opportunity to consider these questions.

> *Unfortunately, however, under the current contracts the AMEP and SEE Program goals have become even more overlapping and unclear, while DET's narrowly focussed employment goals are colonising the AMEP and undermining its distinctive settlement role.*

# ISSUE 3:
## The current contracting system – hidden costs and unclear benefits

A publicly available cost-benefit analysis of competitive contracting (as distinct from KPIs that supposedly measure provider performance) is impossible due to commercial-in-confidence restrictions. These restrictions align with and are driven by administrative churn, loss of institutional memory, ministerial, bureaucratic and provider self-interest and a vicious cycle of perverse incentives to hide problems.

The interests *not* served are those of Australian taxpayers (in regard to costs that are never assessed) and those of English language learners (in regard to disruption, loss of entitlements, confusion and loss of quality provision) and their teachers (in regard to loss of employment, deteriorating conditions, stress and uncertainty).

**The current method of allocating resources to an educational program, in this case English tuition for adult migrants, is not cost-effective, efficient, effective or ethical in at least the following respects.**

### 3.1 Preparing and assessing tenders for new contracts

It is open secret that providers spend six months or more preparing bids for new contracts. As reported by one manager: *"All work stops for six months. We cannot plan or do anything else except what is utterly basic during that time."*

Hidden costs also attach to the DET human and material resources used in assessing tenders and negotiating new contracts.

### 3.2 Waste and inefficiency in transitioning between contracts and providers

In 2000-2001, the ANAO Audit Report 40 noted that:

> *Planning for contract succession has not been sufficient or adequate 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.*[57]

The implementation of the current AMEP contract and the problems detailed as Issue 1 above provide clear and dramatic evidence of continuing failure on this front. These failures have occurred in each contract round for the past 20 years of the current system. They should constitute conclusive evidence that another method is required. However, the system itself ensures that this problem is shielded from scrutiny.

Other examples of waste and inefficiency include:

**(i) Loss of human capital.** In the new 2017 contracts, the most egregious example of the loss of specialist knowledge and staff was the termination of AMES Australia's AMEP provision in Melbourne, and specifically its comprehensive and exemplary program for refugee youth. This program was cited in the ACTA submission to the *Inquiry into Migrant Settlement Services* as probably the best in Australia.[58] The termination of this youth program – together with its hard-won expertise, infrastructure and networks developed over more than ten years – was quite simply vandalism. It highlights an obvious disjunction between the Government's stated concerns about "migrant" youth gangs in Melbourne and policy action to prevent these problems.

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[57] https://www.anao.gov.au/sites/g/files/net616/f/anao_report_2000-2001_40.pdf p. 15, para. 19
[58] Submission 108 https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Submissions
Section 4.4.4, p. 140ff.

**(ii) Misuse of taxpayer-funded resources and wasteful expenditure**. In an example no doubt repeated elsewhere, teachers employed by an unsuccessful provider in the 2017 round were instructed to give away all their resources (books, computers, furniture etc.), only to discover the next day that they had been re-employed by a new provider and would need to purchase replacement resources.

**(iii) Teaching venues.** New contracts are invariably accompanied by reports of new providers desperately seeking teaching venues. In some cases, these have been rented at higher prices from other providers who have just lost contracts.

**(iv) Disruption to students.** DET reported to Senate Estimates that the new contracts required 10,193 AMEP students and 3,612 SEE Program students to change providers.[59] In some regions, eligible clients could not gain access to classes with incoming providers.

The extent of this waste and inefficiency is never costed in reporting on the current system of contracting.

## 3.3 Deteriorating standards of provision and inadequate quality control

It seems clear that the tender assessment process cannot properly assess the prospect of quality provision. For example:

- In at least one city a provider was unprepared (and completely surprised) when they gained a hugely expanded contract.
- The current contracts include at least one provider (MAX Solutions) and possibly other sub-contractors who have no track record in delivering English language programs.[60] See below for teachers' reports on the impact.
- The award of contracts to MAX Solutions is especially dubious, given that this company was previously subject to a compliance audit.[61]
- Navitas has sub-contracted part delivery of the AMEP to MAX Solutions in several States/Territories. It is unclear if other providers have also engaged sub-contractors, including community organisations with/without the necessary TESOL expertise. The ability of these sub-contractors to deliver (or extend their role in) provision has not been assessed through the tender process.[62]

Teachers report that:

- some class sizes are well above the contractually specified maximum of 25 students
- classes often contain students at English levels from complete beginner to advanced
- some classrooms are too small for the number of students in them
- some classrooms block fire escape exits
- unqualified teachers are being employed (e.g. a fitness instructor with a Certificate 4 but no ESL qualification teaching a SEE class of English language learners)[63]

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[59] Department of Education and Training Question No SQ17-0006134 (31 May 2017) Proof Hansard page 97.
[60] Two successful tenderers, MAX Solutions and Navitas, are for-profit organisations. Total AMEP funding to for-profit organisations is $76.2 million for the 2017/18 - 2019/20 contracts: see Department of Education and Training Question No SQ17-000618 (31 May 2017) Proof Hansard page 98. The funding to Max Solutions and Navitas for delivering the SEE Program is $52 million: see Department of Education and Training Question SQ17-000612 (31 May 2017) Proof Hansard page 97.
[61] Department of Education and Training Question No SQ17-000618 (31 May 2017) Proof Hansard page 98.
Department of Education and Training Question No SQ17-000619 (31 May 2017) Proof Hansard page 99.
[62] https://www.theaustralian.com.au/higher-education/english-training-courses-clouded-by-subcontracting-practices/news-story/a4def94faae40c9d33a5ad5cfba146d8
Department of Education and Training Question SQ17-000616 (31 May 2017) Proof Hansard page 98.
[63] Department of Education and Training Question SQ17-000620 (31 May 2017) Proof Hansard page 99.

- teachers are being redesignated as 'trainers', which allows for downgrading of qualification requirements and remuneration
- teacher stress levels are extremely high and morale is rock bottom
- students have expressed their dissatisfaction informally but are fearful about taking this further.

The justification given for employing people who lack recognised teaching qualifications (much less specialist qualifications in teaching English language) is that there is a shortage of such teachers.[64] This shortage can be explained by the unattractive conditions now operating in the AMEP and SEE Program. Teachers' reports are as follows:

*Contracts have gone to private providers (Navitas, MAX) rather than educational institutions with experience and resources. This has led to lower pay for staff, a move to mixed level classes (sometimes all 4 levels in the one class) and a focus on the 'bottom line' rather than successful outcomes for students. In ...* [name of region], *a substantial number of experienced teachers have left the sector altogether, due to the significant decrease in pay and increase in workload.*

*Many teachers have chosen to leave the field rather than take the pay cuts, loss of holiday weeks and increase in face-to-face teaching hours associated with private providers.*

*The issue of pay parity between NSW and ACT teachers is of major concern. Teachers in the ACT now earn, on average, $10 an hour less than teachers across the border. However, Navitas' current jurisdiction covers both NSW and the ACT. The teacher of one Navitas class in Queanbeyan is paid the NSW rate for* teaching *that class but gets the ACT rate for* preparing *for that class, because preparation is designated as occurring in the ACT.*

*We have been told that tutors will be employed to do some classroom work. They will not be required to have TESOL qualifications.*

*Working conditions in our staffroom are appalling.*

*There is no money for PD as it used to be.*

*The rate I'm paid for preparation and marking is definitely less than a cleaner earns.*

*Our situation is terrible.*

*I'm definitely thinking about leaving because it's simply not worth the stress and feeling that you're not doing a good job for your students when you're face to face with them because of all this time-wasting.*

*The ACSF is raising the stress levels here. And it's unfair on teachers because we're working for time that we're not getting paid for. It detracts from our passion for our jobs because we're doing all this ridiculous senseless stuff.*

*I'm NOT paid for the extra hours I spend filling in all the paperwork.*

Those remaining are silenced by the fear of losing contracts and employment:

*Typically, many teachers are part-time sessional co-ordinators and mostly middle-aged to near retirement and mainly women who are unlikely to voice their concern for fear of losing work or not having their contracts renewed. They are also made to feel guilty for not being "part of the team".*

Uncertainty and cost-cutting has also led to the extensive use of teachers employed as casuals but effectively in fulltime roles:

*The expectations for casual employees are very high. The workload is the same as for the contract teachers, with none of the benefits.*

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[64] See for example, SQ16-000938 from the Senate Committee: Education & Employment Supplementary Budget Estimates 2016-17.

*Casual teachers are expected to do everything that fulltime teachers do.*

*Being casual and never knowing whether I will have work the following day is extremely stressful.*

*They need to revisit the term 'casual'.*

Meanwhile, cynicism is growing regarding the quality "verification" process, as for example in the following:

*You may have seen an article in the Age on Monday re the VET fee training rorts. I'm concerned that the RTO who are our verifiers and run "PDs" on ACSF are on a complete rort, which is simply just covered up in paperwork. Most of us see their rules as a moveable feast. It is simply a way to justify their existence by doing an extra "audit", running more training sessions on the ACSF and how to write a report on an interview etc! It is job creation at the very least.*

*Yesterday I was at work for nearly 11 hours which included a 2 hour meeting mostly about forms for progressive assessments and verification where the boundaries keep changing! The meeting revolved around how to satisfy auditors or verifiers. My husband, also a teacher, thought 'verifiers' sounded very Harry Potteresque. It would all make a great comedy sketch.*

## 3.4 "Flexibility": a benefit to whom?

In their 2000-2001 audit of the AMEP, the Australian National Audit Office reported that the new contracting system had produced no tangible gains. Thus *"the per capita cost of contracted out arrangements is similar to those they replaced"*. The benefits of the then new contracting system were described as "*enhanced flexibility in providing tuition to meet the needs of eligible migrants"*. Even so: *"Notwithstanding greater flexibility, the extent to which eligible migrants participate in the Program has not increased"*.[65]

Precisely what is meant by *flexibility* then and now is unclear.[66] The mantra of "increased flexibility" has been used to justify changes in each contract since the mid-1990s. We can legitimately ask: *flexible for whom (and according to whom)* – responsible ministers? government officials? providers? teachers? adult migrant English language learners?

Over the years, the reality faced by managers and teachers has been anything but flexible: escalating compliance-directed paperwork and multiple constraints on their ability to deliver quality English language programs. In the current contracts, "flexibility" has permitted:

- downgrading one part of the AMEP as "social English"
- the redesignation of teachers as "trainers"
- the erosion of pay and working conditions
- the employment of "social English" teachers who lack qualifications not only in teaching English language but teaching more generally.

Prior to the current contracts, the ACIL Allen Review recommended that research and advice be sought towards adopting improvements in new contracts. The Review noted that "the Australian Government has placed significant emphasis on the importance of reducing the regulatory burden for business in Australia".[67] One characteristic of this approach in the VET sector is:

implementation of a risk-based approach that identifies those factors most critical to ensuring quality outcomes for students, and targeting providers that pose the greatest risk to delivering those outcomes. (p. 32)

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[65] https://www.anao.gov.au/sites/g/files/net616/f/anao_report_2000-2001_40.pdf p. 45, para. 1.46.
[66] See, for example, https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Report Recommendation 4, p. 56.
[67] https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf p. 32.

ACTA's continuing proposal for reforming the current contracting system is just such an approach: see Recommendation 9 above. In contrast, the current contracts not only maintain a focus on costly micro-management but have also increased the regulatory burden on the AMEP by reducing its contracts from five years to three.

These short contracts are also justified as allowing *flexibility*. However, while three years (with the possibility of a further two years) may seem generous from Departmental perspectives, this time frame is miniscule when applied to educational programs, the time required for long-term planning, and teachers' livelihoods. The threat of the next contract round stultifies any motivation and ability to plan and innovate.[68] By any educational criteria, short term contracts are a recipe for rigidity.

For adult migrants seeking English classes, the supposed flexibility in the new contracts has excluded some who are eligible, almost certainly constrained others into the "social English" stream, and undermined the overall quality of provision.

*Flexibility* – that is, the threat to teachers and providers of losing their jobs and future contracts – prevents problems from being reported or acknowledged. As one teacher reported:

> *No provider would dare talk about the dodgy practices that are now essential ... hence the oft heard remark 'you didn't hear me say that'.*

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***The benefits entailed in "enhanced flexibility" require explication and testing against the following questions:***

   **i.** ***How do these benefits outweigh the human and material costs documented in this Paper?***

   **ii.** ***To what extent does this method of resourcing and managing English language programs for adult migrants promote economy, efficiency, effectiveness, professionalism and quality provision?***

   **iii.** ***Who benefits from this system of contracting and who loses out?***

   **iv.** ***To what extent is this system maintained and supported by perverse incentives to hide its problems?***

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Depressingly, the institutional memory that would prompt these questions is entirely lacking at the necessary political and administrative decision-making levels because of the churn inherent in the promotional and other incentive structures for government ministers and public servants. Thus, for example, the disaster described as Issue 1 above was mandated under the departmental leadership of someone who moved to a different position (in Child Care) three days after the new AMEP and SEE contracts came into force. This method of avoiding responsibility for failures is hidden from public view. It is yet another form of "flexibility" that protects those who benefit from it while perpetuating incentives that have nothing to do with ensuring quality English language provision for adult migrants.

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[68] In the current contract, innovation is to be promoted by small grants awarded by DET. These grants were announced by the Minister on 16 November 2017 with applications closing on 5 January 2018. The timeline suggest complete disregard for the time of year and the problems detailed in Issue 1.

# CONCLUSION

The following report from a senior teacher who has experienced at least three contract rounds sums up both the problems and the damaging cynicism now current in the AMEP and SEE Program:

> *Re the new AMEP contract: My thoughts are just summed up in the primary school chant, "Told you so!"*
>
> *I predicted increased casualisation, decreased pay, increased teacher workload of administrative requirements. Yep, yep and yep.*
>
> *What I didn't predict was increased government influence on the teaching world in little ways like renaming our teachers as trainers, our students as clients, our terms becoming financial year terms so that term 4 is now term 2.*
>
> *I didn't predict that the teachers would be facing so many half formed, half-baked and unsupported things: the old admin system (ARMS) disarmed with nothing ready to replace it, so no rolls ready, no records of student past achievements; new topics in the program with no supporting text books or resources; new reporting requirements (ACSF); no transition of the old task bank, and tasks on the very sparse new one NOT mapped to the required curricula and ACSF; new assessment for incoming students not ready with kits and paperwork at kick off; no means of identifying students about to hit the vital 200 and 400 hour mark; no provision to put the continuing students on to the ACSF in any systematic or equitable way.*
>
> *There are grand plans but they are not in place and in the meantime, teachers are expected to learn new programs, new roll marking, new assessment methods, new technology LMS, all at once.*
>
> *Can I just say that Stress is now spelled "teacher"?*

The AMEP is currently in crisis, brought about by its relocation to DET and the fundamental failure of the responsible public officials to understand the Program they now administer. This disregard has left providers grappling with a doubly impossible task: a pointless and hugely wasteful switch to using an assessment system that is not fit for purpose, while simultaneously coping with the Department's extraordinary failure to install a properly functioning data management system.

The upshot is that **the AMEP has been <u>massively deflected from its core business</u> of delivering quality English language tuition in the context of assisting initial settlement**:

- those entitled to English language tuition are now being denied it because of the administrative backlog created by this disruption
- inappropriate and narrow employment goals, and a thoroughly misguided attempt to integrate the Program within the VET system via an assessment tool, are diverting teachers from teaching English as a second/other language in the context of settlement
- excessive and unnecessarily complex requirements for assessment and reporting are diverting teachers from *any* kind of teaching
- the Program is suffering from teacher resignations, cynicism and alienation
- the AMEP's relatively robust and nationally consistent method of assessing student entitlements, provider performance and learning outcomes has been destroyed.

While this crisis is new, its underlying dynamic is long-standing.

This dynamic follows from a continuing political and bureaucratic failure to engage with what is entailed in delivering quality English language tuition for adult migrants. Hence the anomalies underpinning the AMEP and SEE Program's unclear goals, and the mishmash of shifting eligibility requirements, fragmented provision and blocked pathways.

This failure has put quality provision under severe threat. Contracts have been awarded to some clearly unsuitable providers, while exemplary programs have been terminated. Sub-contracting

outside of the main tender process is now accepted. The erosion of teachers' wages and conditions and downgrading of professional qualification requirements have been rationalised in the name of "flexibility". Gross breaches of standards have yet to be detected, while audits focus on inappropriate assessment and reporting requirements.

The current system of allocating contracts for these Programs perpetuates this failure. This system rests on the threat to teachers and providers of losing their jobs and contracts, which stifles reports on the system's dysfunctional impacts. The contracts are governed by Key Performance Indicators created by bureaucrats, which enforce their power and direct attention away from the issues that merit scrutiny. Short-term contracts and the incentives that drive bureaucratic and political careers create churn and instability, and destroy institutional memory. Rather than promoting careful in-depth thinking about what actually does need to change (such as the current division between the AMEP and SEE Program, and the contracting system itself), "flexible", ignorant and careless quick fixes (such as the shift to the ACSF) are incentivised, and perpetuate and extend administrative territories.

For the benefit of the Australian taxpayer, the English language learners in and excluded from these Programs, and the dedicated professionals attempting to deliver quality teaching, it is time for a thorough and informed review of the AMEP and SEE Program. The current situation is nothing short of a scandal.

<center>**✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱✱**</center>

# APPENDIX A:
## Entitlements and Hours in the AMEP and SEE Program

### The Adult Migrant English Program offers:

- 510 hours for new arrivals aged 18 years or older in the first 12 months after landing or grant of permanent residence, whose English is assessed (by providers) as "below functional English".
- additional hours as follows:
  - the **Special Preparatory Program** (**SPP**) – for those who have had "difficult pre-migration experiences" –
    - 400 hours for those aged 15-24 with 7 years or less previous schooling; open to those under 18 only if school provision is unavailable and local schools agree to AMEP enrolment[69]
    - 100 hours for those under 25 with 8 years or more of schooling
    - 100 hours for those aged 25 or older.
  - **Settlement Language Pathways to Employment & Training** (**SLPET**) – 120-140 hours and 40-80 hours of work experience to prepare for transition to employment or further education for those completing their AMEP hours and close to "functional English"
  - **AMEP Extend** – up to 490 hours for those who have completed their 510 AMEP hours and have met program attendance and progress requirements.

  Both the SLPET and AMEP Extend are "capped", i.e. funding is limited and subject to change; they must be resourced within budgets provided to providers.

  Clients in the above programs are eligible for free child care.

- **Distance Learning:** teacher-assisted distance learning, mainly delivered on-line.
- **Home Tutor Scheme:** language assistance by a trained volunteer, usually on a one-to-one basis in the client's home.

### The Skills for Education & Employment (SEE) Program offers:

- 500 hours of free Language, Literacy & Numeracy (henceforth LLN) training for **job seekers**, whose eligibility is determined by "Referring Agencies"[70] and who are then referred to providers.
- There are three streams of training:
  i. **Initial language** stream – solely for those "whose first language is not English"
  ii. **Basic Language & Literacy** stream – for both "language and literacy clients"; focus is on "consolidating functional LLN skills" (p. 2)
  iii. **Advanced Language, Literacy & Numeracy** stream – clients as above but at a higher level.[71]
- The SEE Program is primarily delivered in face-to-face classrooms but distance learning is available for those who cannot access on-site delivery.
- Work placements are only possible if a person is also enrolled in a training package that requires this.

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[69] Request for Tender RFT PRN AD 16/001050 Attachment B: Adult Migrant English Program (AMEP) Service Provider Instructions, p.14). These hours are supposedly in preparation for entry to AMEP hours. However, this is rarely the case because providers have difficulty creating viable classes.

[70] Referring agencies are the Department of Human Services, *Jobactive*, Disability Employment Services (DES) and Community Development Programme (CDP) providers (Request for Tender RFT PRN AD 16/001050 Attachment D: Skills for Education and Employment (SEE) Service Provider Instructions, 2017-2020, p. 13.

[71] RFT PRN AD 16/001050, Schedule 5, p. 2

Request for Tender in Relation to the Provision of Services for the Adult Migrant English Program (AMEP) and the Skills for Education & Employment (SEE) Programme [sic] RFT PRN AD16/001050,

# The "pre-employment" and "social English" streams in the AMEP

*The following is extracted from the ACTA submission to the 2017 Parliamentary Inquiry into Migrant Settlement Outcomes.[72] It was written prior to the implementation of the new AMEP contracts (1st July 2017). The footnote references marked RTF are to the draft Request for Tender (RFT), which was circulated in 2016.*

*The concerns expressed in this submission have now been realised.* <span style="color:red">*The extent to which misleading answers were given to questions from the Senate Education Committee regarding the Supplementary Budget Estimates 2016-2017 (referenced with SQ16 numbers), as detailed below, has also become obvious.*</span>

… the 2017-2020 AMEP will be split into two "streams": a *"pre-employment"* stream and a *"social English"* stream.[73]

ACTA regards this split as highly problematic for the following reasons.

## Counter-productive and unnecessary fragmentation

The effects of this split will be the exact opposite of the stated goals of improving flexibility and choice.

The AMEP already had considerable flexibility to tailor classes to meet the needs of specific learner cohorts, although this flexibility had been progressively constrained by reporting and other administrative requirements. The top-down mandatory creation of "streams" introduces rigidities into learner pathways, will intensify difficulties in forming viable tailor-made classes at different levels, multiply administrative requirements, and has no evidence to support it. It did not require splitting the program to institute fewer assessment requirements for some learners (which is one reason given for this split – see below).

The choice of streams to be offered to incoming clients is superficial and has implications they cannot possibly understand. Given that providers are required to form at least one "social English" class per Centre, and that these classes permit cost cutting (see (v) below), the pressure will be to fill these classes. Although it is stated that "clients will be supported to review their goals and change tuition streams if their needs change" (SQ16-001139), changing classes once they are formed is not easy and unlikely to be encouraged. It is not hard to imagine that incoming clients will be asked to choose between a pathway to employment on the one hand and, on the other, an easier class focussed on conversation. Both depictions are fundamentally deceptive, as we elaborate below.

## Downgraded provision in the "Social English" stream

The most obvious change to the AMEP is the creation of a "social English" stream. This move is described as seeking to "encourage greater participation in the AMEP from a cohort where many are currently not accessing or making full use of the program, thus providing an opportunity for those who would not otherwise have access" (SQ16-000946; SQ16-001139). It "aims to attract a cohort of migrant [sic] who would otherwise not enrol in AMEP" (SQ16-000938). This cohort "do not need or

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[72] Submission 108 https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Submissions Section 3.5.2, p. 77 ff.
[73] RTF PRN AD 16/001050, p. 2; Attachment B AMEP, p.7.

want formal English language tuition purely for employment purposes" because of "age, health or family circumstances" (ibid.), which we interpret as referring largely to the elderly, refugees struggling with the legacy of torture and trauma, and women with young children and/or large families.

The "social English" stream is characterised by:

i. "**conversation-based learning activities** that will form a key part of tuition for that stream" (SQ16-000938)
ii. **larger classes** than the "pre-employment" stream (max 25 students versus max. 20 students) (SQ16-000935; cf. SQ16-000946)[74]
iii. **downgraded teacher qualifications** − all AMEP teachers were previously required to hold postgraduate TESOL qualifications; those running "social English" classes are required to hold a degree (in any discipline) and be enrolled in a TESOL qualification (SQ16-000935).

The rationale given for larger classes is that they are more suited to:

- the "slower" progression of students in this stream (SQ16-000938)
- conversation-based learning activities (SQ16-000938).

The "oral communication" focus and lesser assessment requirements are also described as justifying the downgraded teacher qualification requirement (SQ16-000938). Two further reasons are that:

- "highly qualified teachers can be difficult to source in many regional and remote areas of Australia"
- "this standard will enable AMEP providers to attract and develop talented teachers within the AMEP and offer them a career pathway through the program" (SQ16-000938).

The reasons the reasons given to the Senate Education Committee for creating a "social English" stream within the AMEP do not withstand scrutiny. ACTA believes that all are misleading and some are deceptive, as we now explain.

### *(i) Attracting a new cohort*

The Senate Committee on Education and Employment was told that evidence for a new cohort being attracted by the "social English" stream came from "public consultation and the ACIL Allen evaluation" (SQ16-000938). It is unclear who was consulted (the potential new cohort?), what was asked, what the responses were, what were described as deficiencies in existing AMEP provision, the reasons people gave for not enrolling in the AMEP, and how larger classes taught by student teachers would address the rationale given to the Senate Committee.

We cannot find any recommendations (or even suggestions) in the ACIL Allen Review for creating a separate "social English" stream (or streaming), nor larger classes or lower qualifications for some teachers.

ACTA finds it difficult to envisage how any new cohort of learners with little/no English who are actually seeking formal tuition in English might be attracted to a large conversation class run by an unsupervised student teacher − that is, of course, if they were offered this information about the "social English" stream.

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[74] The max 22 number in this answer is different to that given in the draft RFT and in other answers.

ACTA believes that the description of the "social English" stream confuses those seeking formal tuition with those seeking exposure to English in informal activity-oriented settings, such as to be found in Community Hubs, which "work with migrant/refugee women and pre-school children, offering services such as skills training, English classes, sewing and breakfast clubs as well as volunteering opportunities and community events".[75] These Hubs began with trials and evidence assembled over several years in outer Melbourne. Forty-two Hubs are now embedded in primary schools and community centres in Melbourne, Sydney and Brisbane,[76] primarily funded by the Australian Department of Social Services (DSS) and the Scanlon Foundation, with additional support from local and state governments, the corporate sector and other contributors. A *Delivery and Outcomes Report* was published in December 2015.[77]

ACTA believes these Hubs are much better suited to attracting the cohort envisaged for the AMEP "social English" stream. They create sites for authentic conversations, social interaction and sharing locally relevant information. Their reporting requirements do not hinge on assessing participants' progress in English. We support increased funding for these Hubs and increasing their capacity for outreach and community engagement. We believe that the new AMEP "social English" stream will be an unnecessary, unsatisfactory and inferior duplication of services.

The only credible reasons for a new group of AMEP clients being attracted to this stream are the proposed focus on speaking English, which we discuss immediately below, and fewer assessment requirements …

### (ii) Focus on conversation

How increasing class sizes will encourage conversational English escapes us. It is envisaged that conversational activities will occur in small groups (SQ16-000943). New arrivals are almost always unused to group work and resist it as a waste of time. Overcoming this resistance requires skill and experience. Using small groups productively takes careful, focussed planning and skilful feedback and follow-up techniques, which teachers learn from specialist training, English language and pedagogic knowledge, and experience. Moreover, with larger classes, it is more difficult for a teacher to structure appropriate activities, provide feedback and monitor what is going on. With only one person in the room being competent in English (and at least some lacking competence as a teacher), the best that small groups of very low proficiency learners can acquire will be highly stigmatised forms of 'pidgin' English.

### (iii) Downgraded teacher qualifications

It is quite unclear how the learning needs of the projected new target groups can be met by those lacking advanced training, knowledge, skills and experience in English language teaching. As one of our members wrote:

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

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[75] http://www.communityhubs.org.au/
[76] http://www.communityhubs.org.au/contents/resources/NCHP_2015_Delivery_and_Outcomes_Report_FINAL.pdf; http://www.communityhubs.org.au/hub-directory/
[77] http://www.communityhubs.org.au/contents/resources/NCHP_2015_Delivery_and_Outcomes_Report_FINAL.pdf. **Update** (2018): The 2017 Senate *Inquiry into Migrant Settlement Outcomes* endorsed the work of these Hubs and recommended additional funding for them: https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Report Recommendation 1, para. 2.71.

Both specialist EAL/D qualifications and professional development have been progressively deprioritised in the AMEP since the 1990s. (They were never a priority in the SEE Program and its predecessors.) Both are contrary to developments in all other teaching sectors, which are moving to upgrade teacher quality through increased qualifications and on-going professional development. As already noted, as far back as 2008 the Council of Australian Governments defined "qualified" for Early Childhood educators as "four year university qualified" in this specialist field. Preservice teaching qualifications for the school sector are being progressively upgraded to five years via the Master of Teaching. ACTA can see no reason why teachers of adult English language learners should be any less qualified.

Research shows overwhelmingly that teacher qualifications are critical in promoting good learning outcomes. Based on her own extensive research, including several international surveys, world authority Linda Darling-Hammond states:

> Research consistently shows that teacher quality is one of the most important variables for student success and that teachers with stronger qualifications (academic ability, strong content knowledge, full preparation before entry, certification in the field taught, and experience) produce higher student achievement.[78]

Although Darling-Hammond's extensive research is directed to American schools, there is no reason to suppose that her findings and those of myriad other researchers do not apply to teaching English to adult migrants. So, for example, she reports that student achievement is most harmed by casual teachers with provisional qualifications, and most helped by teachers with postgraduate qualifications in their subject area and more than two years' experience (p. 5). The Victorian State Government 2014 report on Early Childhood education documents similar findings for young children (see section 3.3.1).

Early Childhood Education Australia, the advocacy group for that sector, states that:

- An unqualified workforce is politically risky: easily forgotten and over-regulated.
- An unqualified workforce is industrially risky: low remuneration, status, and conditions.
- An unqualified workforce is not good for its' members' wellbeing: more likely to suffer burnout, to be over stressed, and have less job satisfaction.[79]

This description applies in full for teachers in both the AMEP and SEE Program.

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[78] https://edpolicy.stanford.edu/sites/default/files/publications/addressing-inequitable-distribution-teachers-what-it-will-take-get-qualified-effective-teachers-all-_1.pdf
For other research, see, for example: Julian R. Betts, Kim S. Rueben, and Anne Danenberg, "Equal Resources, Equal Outcomes? The Distribution of School Resources and Student Achievement in California" (San Francisco: Public Policy Institute of California, 2000); Donald Boyd and others, "How Changes in Entry Requirements Alter the Teacher Workforce and Affect Student Achievement," Education Finance and Policy 1 (2) (2006): 176–216; Charles Clotfelter, Helen Ladd, and Jacob Vigdor, "How and Why Do Teacher Credentials Matter for Student Achievement?" Working Paper 12828 (Cambridge, MA: National Bureau of Economic Research, 2007); Linda Darling-Hammond, "Teacher Quality and Student Achievement: A Review of State Policy Evidence," Educational Policy Analysis Archives 8 (1) (2000), available at http:// epaa.asu.edu/epaa/v8n1; Linda Darling-Hammond and others, "Does Teacher Preparation Matter? Evidence About Teacher Certification, Teach for America, and Teacher Effectiveness," Education Policy Analysis Archives 13 (42) (2005), available at http://epaa.asu.edu/ epaa/v13n42/; Ronald F. Ferguson, "Paying for Public Education: New Evidence on How and Why Money Matters," Harvard Journal on Legislation 28 (2) (1991): 465–498; Mark Fetler, "High School Staff Characteristics and Mathematics Test Results," Education Policy Analysis Archives 7 (9) (1999), available at http://epaa.asu.edu/epaa/v7n9. html; Laura Goe, "Legislating Equity: The Distribution of Emergency Permit Teachers in California," Educational Policy Analysis Archives 10 (42) (2002), available at http://epaa.asu.edu/epaa/v10n42/; Dan Goldhaber and Dominic Brewer, "Does Teacher Certification Matter? High School Certification Status and Student Achievement," Educational Evaluation and Policy Analysis 22 (2000): 129–145; Parmalee Hawk, Charles R. Coble, and Melvin Swanson, "Certification: It Does Matter," Journal of Teacher Education 36 (3) (1985): 13–15; David H. Monk, "Subject Area Preparation of Secondary Mathematics and Science Teachers and Student Achievement," Economics of Education Review 13 (2) (1994): 125–145; Robert P.Strauss and Elizabeth A. Sawyer, "Some New Evidence on Teacher and Student Competencies," Economics of Education Review 5 (1) (1986): 41–48.
[79] http://thespoke.earlychildhoodaustralia.org.au/qualifications-matter/

### (vi) Attracting talented teachers and offering them a career pathway

With the exception of those protected by enterprise agreements in the TAFE sector, almost all AMEP teachers are now hired on short-term contracts or as casuals. The description of them having a "career pathway" (SQ16-000938) is fanciful and misleading.

ACTA has repeatedly documented since the 1990s that competitive contracting has progressively driven down teacher salaries and conditions, and continues to do so. The proposition that "talented teachers" will be attracted by even lower salaries and larger classes has no evidential basis. Given that Australian postgraduate TESOL qualifications are available through distance education, ACTA believes that the lack of qualified TESOL teachers in remote and regional areas follows from potential TESOL teachers (especially talented ones) having better employment options.

### (v) The actual rationale: increased flexibility to drive down costs

The real flexibility and choice introduced by the "social English" stream is in allowing providers to reduce costs through increasing class sizes and lowering teacher wages, where teachers are not protected by enterprise agreements. This flexibility is now coming into place with the new contracts, as one of our members wrote early in 2017:

> *We have been explicitly informed at our college (which is one of the major tender holders) that we will be paid less for teaching on the social stream, because the college will receive less money from the government for these classes as the assessment requirements are less onerous.*
>
> *The "social stream" is another name for what we teach currently as "settlement topics" but following the CSWE Curriculum.*
>
> *Irrespective of what "stream" a student is in, they will need the appropriate level of literacy support and thus a balance of reading/writing/listening/speaking skills. Working with these clients currently, understanding their needs and aspirations, as well as being familiar with the reporting and assessment systems the contract is referring to, we find it extremely difficult not to be cynical and concerned about government and business motives and priorities, namely to downplay and underestimate the time and skills needed to teach these clients.*

### Misleading and confusing "pre-employment" stream

The creation of a "pre-employment" stream is misleading. The name also obscures the settlement role of the AMEP.

The name is misleading because it strongly implies that beginners in English will be employment-ready on completing their 510 hours tuition entitlement (= approx. 6 months x 4 hours x 5 days per week). On the contrary, the ACIL Allen Review points out that:

> the proficiency level at which clients become ineligible for and must exit the AMEP – functional English – is, ***by definition, generally insufficient*** for much employment, VET and higher education". (our emphasis)[80]

In fact, only 7 per cent of AMEP clients complete their entitlement at "functional English" level and over a quarter of clients leave well below.[81] The new contracts recognise precisely this fact through the extra tuition hours in the SLPET and AMEP Extend. They respond to long-standing criticism, including in the 2017 Centre for Policy Development (CPD) report, that 510 hours tuition is insufficient.[82]

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[80] https://docs.education.gov.au/system/files/doc/other/amep_evalution_report_-_for_public_release.pdf p.68.
[81] https://docs.education.gov.au/system/files/doc/other/amep_evalution_report_-_for_public_release.pdf p.66, Key Finding 18.
[82] Centre for Policy Development (Feb. 2017) *Settling Better: Reforming Refugee Employment and Settlement Services*, p. 29 https://cpd.org.au/2017/02/settlingbetter/.

So far, it appears that the content taught in the "pre-employment" stream will be little different from the previous AMEP, including as the latter did units to assist learners towards employment pathways. This new badging may well be simply a cosmetic response to persistent concerns about migrant unemployment, such as the CPD report just mentioned.

More significantly, however, the naming of this stream realises the fear documented in the ACIL Allen Review that "an increasing emphasis on employment and economic participation will gradually start to displace the programme's primary objective of settlement".[83] The Review found that the (then) AMEP was highly successful and greatly valued by clients in achieving positive settlement outcomes (Chapter 5). Its Key Finding 19 was that:

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

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

The Review's first 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.[84]

The Review provided a sound nuanced discussion of the tension between meeting settlement versus employment goals in the AMEP. The new "pre-employment" stream is a profound misreading of the Review's finding that "the AMEP does not meet the needs of some employment-focused migrants" because it ignores the context in which this statement was made, namely the Review's acknowledgement that enabling learners to reach the necessary English level for employment was an unrealistic goal for the AMEP, given the English levels of those eligible for this tuition, and its clear recommendation that the AMEP should retain its primary role as a settlement program.[85]

The long-term implications of badging the major focus of the AMEP as "pre-employment" – coupled with a smaller stream focussed on "social English" – are unclear. In the short-term, it deflects attention from the program's focus on settlement goals and content. Given current sensitivities and hostilities to migration, the importance of the AMEP maintaining its prime focus on settlement should not be under-estimated. Accordingly, we propose extending access to *all* new arrivals, including those with levels of English proficiency, with flexible options in program length and content.

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

[83] https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf p.xii
[84] https://docs.education.gov.au/system/files/doc/other/amep_evaluation_report_-_for_public_release.pdf p.xvii
[85] https://docs.education.gov.au/system/files/doc/other/amep_evaluation_report_-_for_public_release.pdf pp. xiii-xiv, 68-69
https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf pp. 15-16.

# Re-focussing the Goals and Functions of the AMEP and SEE Program

*The following proposal for restructuring the AMEP and SEE Program was made in the supplement to ACTA submission 108 to the 2017 Parliamentary Inquiry into Migrant Settlement Outcomes.[86]*

| RESPONSIBLE BODY AND PROGRAM | LEARNER LENGTH OF RESIDENCE AND ENGLISH LEVEL ASSESSED BY PROVIDERS | PROGRAM DETAILS |
|---|---|---|
| **DET:**<br>**Adult Migrant English Program (AMEP)** | • in Australia less than 6 years<br>• ACSF 0⁻ to 3 (or equivalent) | Specific offerings to be determined by providers in consultation with DET to meet needs of local cohorts.<br>**Overall provision to include**:<br>• Basic – Advanced English[87] for those with **previous education to equivalent Year 10 or above** (fast track)<br>• Basic – Advanced English for those with **previous education equivalent to Years 4-10**<br>• Basic – Intermediate/Advanced English for the elderly and others **not seeking pathways to education & employment**<br>• Special Preparatory Program (SPP) for those with **minimal/no previous schooling**.<br>Depending on local cohorts, English programs at post-Basic levels **targeted towards specific goals & pathways**.<br>**Delivery modes to include:**<br>• Full-/part-time day & evening classes<br>• English in the Workplace (would need specialist teachers).<br>• Flexible part-time/evening class options. |
| **DET:**<br>**AMEP** | New arrivals[88] *irrespective of* ACSF level | **Orientation to Australia** (20-40 hours) focus on basic settlement issues, the Australian education and political systems; seeking& applying for employment (c.v. preparation; interview techniques; sociolinguistic issues re politeness etc.) This course can be **separate or integrated within AMEP entitlements**. (This proposal is elaborated in ACTA's supplement to our submission 292 to the Senate Inquiry into the Citizenship Amendment Bill).[89] |
| **DET:**<br>**SEE Program** | ACSF 0⁻ to 3 | **Basic literacy & numeracy** – assumes native speaker oral English and the majority of schooling in Australia but learners have not achieved basic literacy & numeracy norms. (Most students would probably be below ACSF 1.) |
| **DET in collaboration with Social Services** | ACSF levels determined in relation to demand | English courses integrated with other content (e.g. child care) designed to meet **local community needs** (e.g. associated with Community Hubs). |
| **TAFE and Universities** | ACSF 4 & above irrespective of arrival date | • **Foundation & enabling courses** in preparation for various study pathways<br>• **English in bridging programs** for those seeking employment/registration in special employment areas (e.g. doctors, engineers, etc.) |
| | • below ACSF 4<br>• in Australia longer than six years | **Special purpose English as a second/other language courses** (e.g. improve employment prospects or meet higher level requirements, access to tertiary training & education).[90] |

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[86] Supplement to Submission 108
https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Submissions Appendix C, p. 19.
[87] Basic English = ACSF Pre-Level 1; Advanced English = ACSF Level 3.
[88] New arrivals = anyone registering in the first 24 months after arriving in Australia.
[89] https://www.Re.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/CitizenshipBill2017/Submissions
[90] Legislation currently before Parliament would make these programs full-fee.

# APPENDIX D:
# Map of Equivalent Levels in Various Assessment Systems

## ALIGNMENT OF CERTIFICATES TO PROFICIENCY SCALES AND REPORTING SYSTEMS

| Proficiency descriptors | ISLPR levels | | IELTS band descriptors | | ACSF | CSWE |
|---|---|---|---|---|---|---|
| Advanced | 5 | **Native-like proficiency** Proficiency equivalent to that of a native speaker of the same sociocultural variety | 9 | **Expert user** Has fully operational command of the language: appropriate, accurate and fluent with complete understanding | | |
| | 4⁺ | **Advanced vocational proficiency** Level 4+ behaviour is significantly better than level 4 but has not reached Level 5 | 8 | **Very good user** Has fully operational command of the language with only occasional unsystematic inaccuracies and inappropriacies. Misunderstandings may occur in unfamiliar situations. Handles complex detailed argumentation well | **Level 5** Autonomous Accesses and evaluates support Adaptable across range of contexts Specialised in one or more contexts Highly complex texts with highly embedded information, specialised language and symbolism Sophisticated task conceptualisation ⬆ | |
| | 4 | **Vocational proficiency** Able to perform very effectively in almost all situations pertinent to social and community life and everyday commerce and recreation, and generally in almost all situations pertinent to own 'vocational' fields | 7 | **Good user** Has operational command of the language, though with occasional inaccuracies, inappropriacies and misunderstandings in some situations. Generally handles complex language well and understands detailed reasoning. | | |
| | 3⁺ | **Basic vocational proficiency+** Level 3+ behaviour is significantly better than level 3 but has not reached Level 4 | 6.5 | | | **CSWE IV** Focuses on language skills to enable learners to participate in a range of vocational contexts and/or further study contexts |
| | 3 | **Basic vocational proficiency** Able to perform effectively in most informal and formal situations pertinent to social and community life and everyday commerce and recreation, and in situations which are not linguistically demanding in own 'vocational' fields | 6 | **Competent user** Has generally effective command of the language despite some inaccuracies, inappropriacies and misunderstandings. Can use and understand fairly complex language, particularly in familiar situations | **Level 4** Works independently Initiates and uses support from range of established resources Range of contexts with some specialisation Complex texts with embedded info, specialised vocabulary and abstraction Complex task organisation and analysis | |
| | 2⁺ | **Social proficiency** Level 2+ behaviour is significantly better than level 2 but has not reached Level 3 | 5 | **Modest user** Has partial command of the language, coping with overall meaning in most situations, though is likely to make many mistakes. Should be able to handle basic communication in own field | | |
| Intermediate | 2 | **Basic social proficiency** Able to satisfy basic social needs, and routine needs pertinent to everyday commerce and to linguistically undemanding 'vocational' fields | 4 | **Limited user** Basic competence is limited to familiar situations. Has frequent problems in understanding and expression. Is not able to use complex language | **Level 3** Works independently Range of familiar contexts with some less familiar elements Short and simple texts Tasks including number of steps | **CSWE III** Focuses on language skills to enable learners to satisfy basic social needs in routine situations for everyday commerce, recreation and linguistically undemanding *vocational* fields |
| | 1⁺ | **Transactional proficiency** Able to satisfy everyday transactional needs and limited social needs | | | | |
| Post-beginner | 1 | **Basic transactional proficiency** Able to satisfy basic everyday transactional needs | 3 | **Extremely limited user** Conveys and understands only general meaning in very familiar situations. Frequent breakdowns in communication occur | **Level 2** May call on expert Familiar and predictable contexts Routine texts with some specialised vocabulary Concrete tasks | **CSWE II** Focuses on language skills to enable learners to satisfy their own simple everyday transactional and limited social needs |
| Beginner | 1- | **Minimum creative proficiency** Able to satisfy immediate, predictable needs, using predominantly formulaic language | 2 | **Intermittent user** No real communication is possible except for the most basic information using isolated words or short formulae in familiar situations and to meet immediate needs. Has great difficulty understanding spoken and written English | **Level 1** Works alongside expert Highly familiar restricted concrete contexts Simple texts with clear purpose and highly familiar vocabulary Explicit tasks | **CSWE I** Focuses on language skills for learners who have just started learning English and who have had minimal exposure to English |
| | 0⁺ | **Formulaic proficiency** Able to perform in a very limited capacity within the most immediate, predictable areas of need, using essentially formulaic language | 1 | **Non-user** Essentially has no ability to use the language beyond possibly a few isolated words | | |
| Absolute beginner | 0 | **Zero proficiency** Unable to communicate in the language | 0 | Did not attempt test | **Pre- level** | **PCSWE** Focuses on language skills for learners with no or low levels of education and/or language |

**Notes:**

ACSF     Australian Core Skills Framework 2012 – http://www.deewr.gov.au/Skills/Programs/LitandNum/ACSF/CoreSkills/learning/Pages/home.aspx

IELTS     International English Language Testing System – http://www.ielts.org/institutions/test_format_and_results/ielts_band_scores.aspx

ISLPR     International Second Language Proficiency – http://www.islpr.org/ScaleLevels.html