



Australian Council of TESOL Associations

Submission to the Parliamentary Joint Committee of Public Accounts and Audit
Inquiry into the Contract Management Frameworks Operated by Commonwealth Entities
with reference to
Auditor-General Report No. 37 2023–24
Administration of the Adult Migrant English Program contracts

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August 2024

Exhibit 1:

ACTA Response to the draft request for tender AMEP 2017-2020



Senator the Honourable Simon Birmingham
Minister for Education and Training
Parliament House
Canberra, ACT

Dear Minister,

RE: Adult Migrant English Program (AMEP) Draft Request for Tender (RFT)

I write on behalf of the *Australian Council of TESOL Associations* (ACTA) regarding the Draft Request for Tender for the Adult Migrant English Program.

ACTA welcomes the opportunity to provide feedback on the Draft RFT and that the draft document has allowed stakeholders to consider Government intentions for the operation of the Program.

We commend the commitment to encourage flexibility and innovation, and extend opportunities for English language learning. We also warmly commend the commitment to quality service provision through the Policy Parameters and AMEP Service Delivery Principles stated in the draft.

However, we believe that these commitments are seriously undermined by the Draft RFT proposals to divide the AMEP into two streams with downgraded standards permitting larger class sizes and the employment of unqualified teachers in one of these streams.

These proposed changes to the AMEP have little justification or warrant arising from the Program's central objectives and current functioning, the Government's most recent Evaluation of the Program, or the stated Policy Parameters and AMEP Service Delivery Principles in the Draft RFT.

As detailed in our attached submission, this unnecessary fragmentation and concurrent downgrading of part of the AMEP will create serious inequities between newly arriving migrants erode its reputation in the public domain, increase inflexibilities in the Program, and create unnecessary logistical problems.

Consequently, we urge you to ensure that the Request for Tender is revised to reflect the stated Policy Parameters and Service Delivery Principles and continue quality and equitable provision for AMEP clients.

As always, we would be pleased to provide any further feedback that might assist the development of quality AMEP provision through the next round of tenders.

Yours faithfully,

[REDACTED]

Dr. Michael Michell
President, Australian Council of TESOL Associations
c/- School of Education
Level 1, John Goodsell Building
The University of New South Wales
UNSW Sydney NSW 2052 Australia
Email: [REDACTED]
cc. Contact Officer, AMEP & SEE Tender Manager [REDACTED]



AUSTRALIAN COUNCIL OF TESOL ASSOCIATIONS

response to

Draft Request for Tender

for the

Adult Migrant English Program (AMEP) 2017- 2020

30th August 2016

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Executive Summary

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

This fragmentation is a retrograde step. It:

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

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

Policy Parameter & Principle

The Social English Stream:

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

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

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

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

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

entrenches inequality in provision for newly arriving migrants
stigmatizes learners in this stream as unworthy of the level of quality provision accorded to learners in the other stream
will inevitably target women with childcare responsibilities and refugees with minimal/no previous education
takes no account of the very high levels of TESOL expertise needed to successfully teach the vulnerable learners who will be placed in this stream

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

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

“meet all reporting and financial accountability requirements stipulated by the department”

(AMEP SPI, 1.1, 3)

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

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

(Schedule 1, 1.1.7)

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

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

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

(AMEP SPI, 1,1.5)

requires vulnerable clients to make choices whose implications for quality provision they cannot possibly appreciate
contains perverse incentives for interviewers to disguise the facts that choosing this stream entails larger classes taught by unqualified teachers

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

(AMEP SPI, 1,1.4)

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

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

introduces an unnecessary top-down rigid division in provision

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

(Schedule 1, 1.1.1)

places vulnerable clients on a pathway that increases barriers to “employment, further study and training” and hence “improved economic and personal well-being”
institutes administrative barriers if clients want to move into the pre-employment stream
imposes unnecessary administrative requirements on providers when clients seek to change stream

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

fundamentally disregards what the AMEP has achieved and can achieve as an integrated and coherent English language program focused on settlement
institutes a learning environment that will inevitably produce new arrivals speaking highly stigmatised forms of ‘pidgin’ English
will fundamentally erode the credibility and accountability of the AMEP.

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

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

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

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

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

DETAILED SUBMISSION

What is ACTA?

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

Welcome Features of the Draft RFT

ACTA welcomes the following aspects of the draft RFT:

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

Main Concern: Streaming Clients

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

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

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

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

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

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

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

We elaborate on these concerns below.

1. Misconception of AMEP Clients and their needs

Who are AMEP clients?

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

**What is
“functional
English”?**

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

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

**What can
be achieved
in 510
hours?**

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

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

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

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

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

**Aim of the
AMEP**

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

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

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

Client goals

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

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

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

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

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

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

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

2.1 Displacement of the settlement goals of the AMEP

ACIL-Allen Recommendation 1

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

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

Current settlement focus

The Evaluation describes the current settlement focus as follows:

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

Draft RFT

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

Misunderstanding of a settlement-focused English program

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

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

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

Overall, the ACIL Allen Evaluation reported that:

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

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

2.2 Misapplication of employment goals to the AMEP

Draft RFT interpretation of the ACIL Allen Evaluation

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

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

Draft RFT disregards clear intent of ACIL Allen Evaluation

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

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

The full text on p. 16 is as follows:

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

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

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

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

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

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

Further:

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

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

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

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

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

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

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

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

Further:

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

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

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

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

*Accommodating
employment
goals in the
AMEP*

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

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

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

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

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

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

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

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

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

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

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

3. Violation of stated Policy Parameters and Service Delivery Principles

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

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

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

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

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

Learners in the Social English stream

The draft RFT describes the types of clients envisaged in the Social English stream solely in terms of client goals. Those in this stream will be "seeking greater competence in conversational English to help them participate socially and to gain the confidence to live independently within their local community

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

and region”. We have already argued that this is a narrowed and restricted view of the goals of new arrivals with very limited/no English and, further, confuses medium/long term goals with how learners move towards these goals.

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

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

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

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

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

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

Learning English in conversational settings

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

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

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

Learning “social English”

Third, the coupling of “less rigorous teaching” with learning “social English” demonstrates a **profound misunderstanding of what is required to teach English to speakers of other languages** and to assist them to meet their goals and aspirations, *no matter what these may be*. If new arrivals (of *any*

kind/previous educational background) with *any* aspirations to acquire non-stigmatised forms of English, including so-called “social English”, are to be given quality English language tuition, they require teachers with the knowledge and expert skills that are gained from reputable TESOL qualifications.

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

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

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

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

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

Who are likely clients in the social English stream?

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

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

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

What will the Social English stream achieve?

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

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

- create viable numbers for classes
- cut costs.

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

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

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

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

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

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

Other Concerns

Other concerns regarding the draft RFT are briefly outlined below.

1. AMEP-SEE Alignment

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

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

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

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

2. Assessment

The draft RFT requires AMEP providers to adopt the Australian Core Skills Framework (ACSF) assessment system used in the SEE program (Schedule 1, 1.4). As is quoted earlier, the legal

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

definition of ‘functional English’ is specified in terms of the ISLPR. The draft RTF does not address how this requirement can be met using the ACSF.

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

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

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

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

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

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

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

It is *precisely* these clients who should not be written off with the inferior provision and stigmatised English that we have discussed earlier. Among them are highly ambitious men and women, who – with patient, imaginative, expert teaching and well-designed pathways – have been demonstrated to be capable of giving much to Australian society. Relegating them to the provision envisaged in the Social English stream will greatly increase the chances of entrenched unemployment and social alienation for this group, and add fuel to currently ill-informed characterisations of refugees in the public domain.

3. Reduction in length of AMEP contract

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

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

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

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

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

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

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

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

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

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

Recommendation

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

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

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

Conclusion

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

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

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

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

APPENDIX A: ACIL Allen Evaluation Overview of cohort specific good practices

AMEP Review, Figure 5, page 24:

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

Exhibit 2:

Report to ACTA on the 2017 AMEP Managers Meeting

REPORT TO ACTA ON AMEP & SEE FORUM

Mercure Hotel, Brisbane

Thursday-Friday 16-17 November 2017

(Slightly revised from the version tabled at the Council meeting 23rd November 2017)

My thanks to ACTA for asking me to represent the Council and our affiliates at the 2017 AMEP and SEE Forum, hosted by the Department of Education and Training (DET). Based on this experience, I believe that it is important for ACTA to have a presence in this Forum. We were the only voice there that did not come from either a Government official or someone contracted to DET. ACTA should be appreciative of further invitations to the Forum and should ensure that someone can always represent us there.

The Forum was well run and had a pleasant and positive atmosphere. Aside from that, I was told that it was very different from usual, which is normally dominated by ‘good news’ stories. This time the theme was almost entirely the implementation of the new (1st July 2017) AMEP & SEE contracts, which is anything but a good news story.

PPs from presentations have been posted on the Govdex website (<https://en.wikipedia.org/wiki/Govdex>). ACTA is not eligible to access this site and it is unclear to me whether individual AMEP and SEE teachers have access (see <https://govdex.gov.au/apply>). However, DET has kindly sent me a selection of PPs from Forum presentations, although those “specially developed for engagement between the department and our service providers and were not intended for an external audience” were not made available. Given that the latter PPs relate to the implementation of the current contracts since July 2017, I suggest that interested individuals seek access from their employers to them, especially the presentations by Angela Tidmarsh and Bridgette Bergin.

The following report is based on the PPS I have been sent, my notes and memory. Material based on the latter may not be entirely accurate or comprehensive.

SPEAKERS & PRESENTATIONS

Significant speakers (in order of seniority) were:

- **Karen Andrews, Assistant Minister for Vocational Education and Skills**, whose portfolio includes the AMEP and SEE Program (https://www.aph.gov.au/Senators_and_Members/Parliamentarian?MPID=230886). Minister Andrews is a Queenslander and her office is at Varsity Lakes – see section below on “what should follow” for why this is relevant. The Minister announced that competitive AMEP Innovation grants would shortly be open for applications: closing date 6th January (!). **Minister also strongly implied that the AMEP switch to the ACSF was recommended in the ACIL-Allen Review. This is not only untrue but contrary to what that report recommended (– see last section below for the facts).** There was no PP for her speech. I contacted her office several times requesting a link to the speech but so far received no reply. However, Lesley Cioccarelli, ACTA’s amazing electronic media whizz, has found this link: <https://ministers.education.gov.au/andrews/address-amep-and-see-provider-forum>
- **Linda White, Branch Manager, Foundation Skills, DET**. *PP unavailable through ACTA website.*

- **Suzi Hewlett, Group Manager, Industry Skills and Quality Group, DET.** *PP available through ACTA website: [Welcome to our Forum](#).* The presentation outlined reorganisation within DET, including that Foundation Skills, Policy Development and Program Delivery are being brought together, and that contract managers will now be at State-level. The PP is worth looking at if you want a thumbnail picture of the AMEP and SEE, including their administration.
- **Angela Tidmarsh, Director, AMEP, DET.** *PP unavailable through ACTA website.* The presentation gave a refreshingly open and detailed account of the Department's review of the new 2017 AMEP contracts.
- **Bridgette Bergin, Director, AMEP, DET.** *PP unavailable through ACTA website.* The presentation gave a refreshingly open and detailed account of the Department's review of the new 2017 SEE contracts.

Interestingly, Linda White had taken over responsibility for both the AMEP and SEE Program three days after the 2017 contracts began (1st July 2017). She comes with wide experience of managing the VET sector, including apprenticeships. She said that her mission consisted of 3 E's: English, Education & Employment. It is a major shift that DET should include English as an explicit priority. Angela Tidmarsh is also new in her role, coming from Settlement Services. I don't remember if Bridgette is new too but it may be true too. Although this "churn" and concomitant loss of institutional memory (about which I asked a question) underpins long-term problems with these programs,³ in this case I suggest that ACTA and providers should seek to capitalise on these particular incoming officials' apparently very earnest statements that they are open to input and keen to try to put at least some things right. (Word around the Forum was that they are improvements on their predecessors.) Their experience in areas related to English language provision should also be useful, especially if they can use it to build pathways and facilitate links to these other areas.

All the presentations were worthwhile but especially notable were:

- **Evan Lewis, Group Manager, Settlement Support Services & Communities.** *PP available through ACTA website: [Settlement Services](#).* This presentation was very informative. It included the important information that case management plans will now be for *individuals* (including babies), not families. Later when I talked to Settlement Services officials, they seemed completely unaware of the resourcing incentives that lead to schools enrolling refugee youth when they are unable to support them with appropriate programs. I touched on this problem in my presentation (*My PP is available through the ACTA website*).
- **Nichols Beswick, TAFE NSW AMEP Regional Coordinator for Distance Learning.** *PP available through the ACTA website: [Distance Learning and demonstration of the resources used](#).* This presentation focussed mainly on demonstrating a virtual classroom app. which may be of practical interest to members.
- **Colin Nalder (AMEP) and Mary Hobbs (SEE), TAFE Queensland TELLS.** *PP unavailable through ACTA website.* These managers reported on TELLS' experience in implementing the new contracts. They did not gloss over problems and their presentations elicited considerable black humour.
- **Mary Wallace from Lynda Wise & Associates (LWA).** *PP available through the ACTA website: [Quality Assurance Presentation](#).* The presentation outlined LWA's approach to Quality Assurance. The presentation but not the PP included some discussion of problems in the

³ For a perceptive in-depth analysis of this problem across the whole of the public service, see Laura Tingle *Political Amnesia: How We Forgot to Govern*. Quarterly Essay, 60, 2015.

new contracts. Given that there is currently no information about the AMEP on the LWA website (<http://www.lwa.net.au/>), this PP would appear to be the best available for the moment.

- **Professor Robert Slonim, Director of Research, Behavioural Economics Team of Australia.** PP available on ACTA website: [Behavioural Insights & BETA](#). This Team works within the Department of Prime Minister & Cabinet, researching various issues within government. Collaboration with DET is under consideration, possibly on issues re the AMEP and SEE Program, possibly on retention rates. Prof. Slonim is an economist and the presentation outlined his approach. Personally, I am sceptical of its dated and narrow pseudo-experimental/scientific/laboratory-derived focus (so favoured by some American researchers) that tests a hypothesis on a test and ‘control’ group. Further, in my view researching retention issues in the AMEP and SEE Program would be a massive waste of resources, given the considerable research that has already gone into this particular issue and the solid knowledge we already have about it. (See, for example, work done by Lynda Yates and the now defunct AMEP Research Centre and most recently *Building a New Life in Australia*: https://www.dss.gov.au/sites/default/files/documents/11_2017/17385_dss_-_bnla_report-web-v2.pdf.)⁴ Nevertheless, the presentation slides are *definitely* worth looking at for their interesting and fruitful conceptual perspectives on the limitations of traditional economic approaches to researching policies and provision, and on how to include knowledge from other disciplines in research and policy development (see especially slides 6 & 7, 14-20).

Other PPs from presentations made available to ACTA and accessible through our website are:

- **Melbourne Polytechnic** [Cross cultural issues affecting student expectations, engagement and retention](#)
- **Mandy Juraev, AMEP NSW TAFE** [Improving Student Attachment & Outcomes](#)

My presentation: [Reforming English Language Provision for Adult Migrants & Refugee Youth from the Top Down – Some concrete proposals from the Bottom Up](#) was based on the ACTA submission and supplementary submission to the 2017 *Parliamentary Inquiry into Migrant Settlement Outcomes*. These submissions and my Power Point presentation are available on the ACTA website: [ACTA Media Room](#)

THE MAIN FOCUS OF DISCUSSIONS: THE NEW 2017 CONTRACTS

The Minister acknowledged and the others detailed at some length – and with admirable frankness – that the implementation of the 1st July contracts is proving extremely problematic, especially in the AMEP. The most central problem that was identified is the AMEP switch to the ACSF (see ACTA submission on the ACTA website to the 2017 *Parliamentary Inquiry into Migrant Settlement Outcomes*).⁵ However, even our most trenchant criticisms of management of the AMEP did not

⁴ *Building a New Life in Australia* Longitudinal Study Report the Longitudinal Study of Humanitarian Migrants looks into how humanitarian migrants settle into life in Australia and is the first long-term study of its kind. It is a long term project that follows the settlement of 1,509 humanitarian migrant families (2,399 individuals in total) who arrived in Australia or had their permanent visas granted in the six months between May and December 2013. The study follows participants as they settle into life in Australia and aims to increase the knowledge around the factors that support successful settlement and those that hinder it.

⁵ This Inquiry has now reported:

https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/settlementoutcomes/Report

anticipate that this switch was mandated with *no* management information system to support it (an unbelievably dramatic example of the loss of institutional memory that now afflicts government in Australia – see footnote below). In consequence, providers are now sending literally thousands and thousands of Excel sheets to DET, which lacks capacity to process them. The stress and workloads currently being experienced by teachers and managers – *and* DET officials (who really did take a beating in the Forum!) – were described as “unprecedented”.

From memory and my notes, other reported problems were:

- the impossibility of/time required to map CSWE and other accredited course outcomes to the ACSF (see last section below)
- lack of ACSF baseline data
- lack of provision for clients who had not exhausted their entitlements under the old contracts
- cuts to SEE Program funding
- the SEE “notional budget”
- insufficient funding to meet demand for AMEP Extend
- loss of on-line resources for Home Tutors
- the requirement to keep almost minute-by-minute attendance records (13 minutes absence does not incur a financial penalty for providers but 14 minutes does!)
- clashes between the criteria for clientele who fit the description for the Social English stream with Newstart requirements
- current impossibility of determining if clients have exceeded their entitled hours
- the widening gap preventing clients moving from the AMEP to the SEE Program (due to SEE KPIs)
- lack of knowledge in Jobsearch agencies that the AMEP is an approved activity
- the need to induct new providers into “the system” and to allow them time to adjust (!!).

A “problem” raised from the floor by two people, one of whom was from MAX Solutions, was that **accredited course teacher qualification requirements are too strict and are causing a teacher shortage**. The DET officials said that the Department would consider providers applications for exemptions. ***One to watch!!*** It was said at my table that teacher shortages are more likely the result of the current unattractiveness of teaching the AMEP and SEE Program, which is also causing teacher resignations.

We were told that DET is instituting some minor but welcome changes, including State-based contract managers, about which providers would be notified very soon. As I understood what was said, the Department could not promise that the new data management system would be in place even by mid-2018. I will not attempt to describe other changes because I didn’t fully understand them. The audience response was that these changes would bring some relief but not nearly enough. ***It would be worthwhile asking program managers what these are if you are not already apprised of them.***

As someone who has observed and commented on the provision of English to adult migrants for many years, I felt ACTA’s recommendation to the Inquiry into Migrant Settlement Outcomes (see the supplementary submission) was completely justified that the AMEP and SEE programs should be entirely re-thought, re-focussed and simplified. The wasteful duplications and unnecessary inconsistencies between the two programs were repeatedly evidenced in presentations, as was the *truly massive but hidden* waste entailed in the current contracting system, not only in preparing tenders and losing quality providers but also in getting new providers up and running. The solution

– from DET perspectives as explained to me – is better implementation procedures, as distinct from rethinking the whole process. (See Laura Tingle on the destruction of institutional memory!).

What should follow for ACTA?

I believe that the time is ripe for members of ACTA affiliates to work hard to bring the current situation in the AMEP and SEE Program to wider attention. 2018 will see the run-up to a federal election, including the parties formulating their policies. Likewise, in regard to the AMEP and SEE Program, DET officials clearly realise they have major problems on their hands with the current contracts. They have said they are willing to explore options.

It is only through professional associations that people can be protected if they speak up because they do not need to identify their employers and programs. In that regard, a number of people told me they welcomed my questions from the floor and the ACTA presentation because, despite the apparent frankness in the room, they and others were afraid to speak out.

ACTA needs to act now and use this golden opportunity for change. Here is my proposal:

- each State/Territory ACTA affiliate should call **an emergency meeting entitled something like “The Current Crisis in English Language Provision for Migrants”**
- if desired, the meeting could be broken into two parallel streams: **one for teachers of adults, the other for those in schools** (see problems detailed in the schools sections in the *ACTA submission on the ACTA website to the 2017 Parliamentary Inquiry into Migrant Settlement Outcomes*).
- **local federal House of Reps members and Senators interested in education and State/Territory Parliament members from both the Government and Labor Party (maybe even the Greens)** should be invited to attend this meeting, *not* give their own talk, but to listen and respond to our members’ reports on what is happening in the AMEP, SEE, TAFE/HE and schools. Where the local member is a Government Education minister (see above re Karen Andrews), Labor Shadow Minister or Greens Spokesperson, a special effort should be made to get them to attend.
- a big effort should go into **encouraging ACTA members to attend and speak their minds**.
- the meetings should be held as soon as possible and at a time when the federal Parliament is *not* sitting, so that local members can attend. The precise date and time should be negotiated with parliamentarians’ local offices to ensure their availability.

RE USE OF THE ACSF IN THE AMEP (and the apparent claim that it follows from the ACIL-Allen Review)

For what the ACIL-Allen Report said, go to

https://docs.education.gov.au/system/files/doc/other/amep_evaluation_report_-_for_public_release.pdf page xi Recommendations 5 and 6

https://docs.education.gov.au/system/files/doc/other/see-amep_alignment_report.pdf page 25, section 4.6. This Report states:

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. (p. 26)

This recommendation (6) follows:

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 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. (p. 26)

In my view, providers and teachers can be justifiably angry at the consistent misrepresentation of the ACIL-Allen recommendations by Government Ministers and officials. Instead of the recommended expert group doing this mapping work, teachers have been set to do it with no allowance for what is entailed.

Helen Moore

ACTA Representative at the AMEP & SEE Forum

helenmoore@tpg.com.au

Exhibit 3:

Minister's announcements on reform of the AMEP 7 Feb 2020

Friday, 07 February 2020

Interview with Tom Connell, AM Agenda, Sky News

The Hon Alan Tudge MP is currently acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

Subjects: Improving employment and English language outcomes for refugees, robodebt

TOM CONNELL: Now our next guest on the program, Alan Tudge who is the Urban Infrastructure Minister and the Acting Immigration Minister as we talk again about, well, refugees. Another push from the Government to make sure refugees can be employed, but also that they head towards the regions as well. Alan Tudge, let me ask you first of all about the nature of this. It's described as a push to get more refugees out to the regions. But this is incentive based, this is not something they're going to be forced to do?

ALAN TUDGE: Yeah, that's right. So we've got targets to get 50 per cent of all of the new intake into the regional areas and we're already doing pretty well on this front. We're at about 44 per cent at the moment which is up from 30 per cent, we want to get to 50 per cent within a couple of years.

We obviously have to put the services in place; we have to have receptive communities; there has to be work there for the them [audio skip] these regional areas are looking for workers, they know that refugees can be great contributors and there's great examples already of where refugees have been very successful and have integrated and have been a great part of the community, such as in Nhill or in Bendigo here in Victoria.

TOM CONNELL: One stat really jumps up to do with this latest push, it's pretty hard to get a job without English; 21 per cent of refugees don't have any function of English, that's despite - only 21 per cent do I should say, despite 510 hours of free tuition. What's going on with these English lessons that they seem to be failing so much?

ALAN TUDGE: Yeah, that's right Tom. I'm giving a speech today with the main message being that we need to do better, collectively, to improve on the unacceptably high unemployment rate from our refugee intake.

After a year of being here the unemployment rate of refugees is 77 per cent but it remains at 38 per cent in three years, and it's just unacceptably high and it should be better. Now, a big part of that is the lack of English language which people have when they come here and the fact that even when they leave the English language classes which are freely available, only about 20 per cent actually have functional English. What we're going to do is reform those English language classes because we know that people leave the classes early, rather than completing the courses, for a variety of different reasons. Sometimes it is work related, sometimes it's family related, and sometimes because people say they're just not worthwhile - they're not delivering what they need. So we're going to trial a whole bunch of different ways of delivering these classes differently which might include blending it with their employment, it will include some online courses, different times of the day, having it co-located with childcare centres so that parents can learn English while their children are being looked after.

We don't ever want people to have to drop out of their English language classes because they have an inability to get to them or that the classes just simply aren't delivering.

TOM CONNELL: And some highly skilled people as well. This is probably a misconception within these refugee allocations. Yes, they've come from difficult situations but they can be harnessed to be a pretty good workforce.

ALAN TUDGE: Yeah, absolutely. Now, about 13 per cent of people come here with a university degree, a high proportion come here with at least 12 years of schooling. People do come here with skills - sometimes they come here though and their skills aren't recognised and so there is an issue there. You can be a doctor somewhere or you can be a nurse or something else but it's not recognised here, that qualification. So that's something also we need to work on.

We used to in the 50s and 60s people used to come into Australia and almost straight off [audio skip] in work the next day.

The labour market is very different these days and these days you do need English. There's not as many entry level - not as many low skilled positions available as a proportion of the workforce. So it is more challenging, but having said that, the unemployment rate is still unacceptably high and that's bad for the individuals and it's bad for the community at large and that's what we want to address. English language being part of it, but there's also other mechanisms that we're putting in place.

TOM CONNELL: We'll wait to see some of the details on that. Just finally as well, you oversaw the introduction of what's known as the robodebt program. It's now found to have been unlawful. Do you take responsibility for that?

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URL:<https://minister.homeaffairs.gov.au/davidcoleman/Pages/interview-tom-connell-sky-news-20200207.aspx>

Last update: Friday, 07 February 2020

Interview with Virginia Trioli, Mornings, ABC Radio

The Hon Alan Tudge MP is currently acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

Subjects: Chinese visa issues, improving employment and English language outcomes for refugees, Barnaby Joyce, climate change debate

VIRGINIA TRIOLI: Alan Tudge is the Acting Minister for Immigration and also the Minister for Population. He was listening to that conversation and he joins me now. Alan Tudge, good morning.

ALAN TUDGE: Good morning.

VIRGINIA TRIOLI: It's utterly heartbreaking, isn't it?

ALAN TUDGE: Absolutely and certainly my heart goes out to Xiao Li's family and his friends and obviously Angus has been a tremendous source of support for Xiao Li while he's been here and I congratulate him as well for his bravery and his willingness to step up and do what he can to support his mate.

VIRGINIA TRIOLI: His mother has been trying ever since this accident to get a visa fast-tracked. She's paid more than a thousand dollars to consulate services there in China to get that fast-tracked visa just to come and see her son in hospital. Is there anything that you can assure the public today that you can do to get her here quickly despite of the ban in order to see her son's body?

ALAN TUDGE: There is and obviously, it is not a straightforward situation when we have this ban in place.

VIRGINIA TRIOLI: I understand that.

ALAN TUDGE: The ban is in place for a reason. Having said that, we want to exercise whatever compassionate consideration that we can in order to enable her to get here as quickly as possible without putting the Australian public at any risk from the coronavirus.

It's just been brought to my attention literally in the last 24 hours or so through Gladys Liu actually, -the Member for Chisholm, who's brought this case to my attention. Where it is at the moment is with the Australian Border Force Commissioner. It's the Australian Border Force Commissioner who has been authorised by a National Security Committee to be able to make exemptions to the general ban for situations like this. They'll have to be assured that there'll be no health risk to other Australians from her coming here.

VIRGINIA TRIOLI: Well we know that she's not in the affected provinces

ALAN TUDGE: Yeah. So she's not in the affected province. So that's the first step. But nevertheless, they'll still have to be assured that nobody else will be put at risk. So that's the process which is going through. I've been advised this morning and we just have to work through that.

VIRGINIA TRIOLI: It would have to be done quickly though, wouldn't it?

ALAN TUDGE: Yes. That's right.

VIRGINIA TRIOLI: For the body to be kept for her there at the Royal Melbourne Hospital in the morgue I would imagine; it would have to be done within 48, 72 hours. I'm just speculating here. Is that the timetable you're thinking of?

ALAN TUDGE: I don't know. I've been advised that the Australian Border Force Commissioner is actually examining this case this morning. And as I said, our Cabinet has given him the discretion to be able to make decisions such as these when there is overwhelming compassionate consideration needs be brought to bear while at the same time not putting the Australian public at risk.

VIRGINIA TRIOLI: It would be good to come back to us when you have a definitive answer on this, Alan Tudge.

ALAN TUDGE: When I get a definitive answer, yes. I'd be happy to.

VIRGINIA TRIOLI: We're also reading in the papers today about English language courses for humanitarian refugees to be overhauled. What do you mean by overhauled and what are you trying to achieve here?

ALAN TUDGE: In essence, the overall objective which we're trying to achieve is to try to lift the employment rate of the humanitarian intake. We still have unacceptably high unemployment rates

for our refugees and humanitarian intake. It's literally 77 per cent after a year and it remains at 38 per cent unemployment rate after three years.

One of the single biggest reasons that people are unable to get work is their lack of English and the labour market today is different to what it was a couple of decades ago, Virginia. These days you do need to have some basic English even to understand the occupational health and safety rules. The English language classes are there to assist people but what we've found is that 21 per cent of people, when they leave English language classes - only 21 per cent actually have a reasonable command of English when they leave.

So, we're reforming those English language classes, particularly to make them more flexible to cater for those who might have other responsibilities such as looking after children or a part time job or for other reasons. So, we're going to trial a whole bunch of different things this year in relation to English language classes. We've put a lot of money into those to assist people and that's a big focus.

VIRGINIA TRIOLI: So I wanted to ask about those classes. As you say, yes, a great deal of money goes in there. They've been in place for some time and there are hours of tuition available to those newly arrived refugees. There seems to me then to be an implicit criticism or problem with the nature of those English language courses. Have you lost faith in them? Are they not adequate and not doing what they're supposed to be doing for the money that the service providers have been given?

ALAN TUDGE: Well certainly the outcome which we're getting overall is not satisfactory. I mean only 21 per cent of people who exit these English language classes actually have a functional command of English.

VIRGINIA TRIOLI: And they're mostly private- they're mostly privately providers, aren't they?

ALAN TUDGE: They are mainly private providers. Now, everybody gets a minimum of 500 hours for free and most people, if they still need it, can get a further 500 hours. But the average length of time that people do classes is only 300 hours and then people are dropping out. We know that they're dropping out for a number of different reasons and we've got survey data on this. Some say that it's because they actually do have some work obligations, some say because of family commitments, others say because the classes simply aren't working for them. We've had a review into this and we're acting upon this review to reform it to provide greater flexibility and we want to trial different things because unless we get that English language improvements, we're not going to see a dramatic increase in the employment rate and that's our ultimate objective.

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URL:<https://minister.homeaffairs.gov.au/davidcoleman/Pages/interview-virginia-trioli-abc-radio-20200207.aspx>

Last update: Friday, 07 February 2020
Friday, 07 February 2020

Doorstop interview, Melbourne

The Hon Alan Tudge MP is currently acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

Subjects: Improving employment and English language outcomes for refugees, Xiao Li, coronavirus

ALAN TUDGE: It's been great to speak at the Menzies Research Centre here in Melbourne, and to address what is a really important topic – that is, how well we resettle refugees who come into Australia.

Australia, as you know, has been a very welcoming country for refugees over the decades. Over 900,000 people have sought refuge in Australia and, indeed, many of those people have gone on to shape Australia, including becoming captains of industry or leaders in government.

We should be very proud of our record of accepting and welcoming people from across the world, providing them refuge and having great settlement services in place. The real challenge though that we have, is that we still have an unacceptably high level of unemployment with our refugee intake.

At the end of a year of being in Australia, still 77 per cent of people are unemployed. After three years, still 38 per cent are unemployed and after ten years, it is still 20 per cent of people who are unemployed. These are unacceptably high figures for all of us.

We'll always expect that the unemployment rate for our humanitarian intake will be higher than the average, because after all, people have often suffered immense trauma and at least five per cent of people come here without any literacy skills at all, let alone any English language skills.

But we have to do better collectively in this regard.

Today I have announced that the Government will have a renewed effort in this area. We are doing this through a number of areas.

Number one: we need to improve the English language provision that we provide to our refugee intake. Because at the moment, people can access up to a thousand hours of free English language classes. But the outcomes from when people who leave those English language classes is frankly not good enough, because only 21 per cent of people speak functional English having undertaken some English language classes. Part of that is that, on average, people only attend 300 hours rather than all the hours which are freely available, and there's reasons why they aren't attending. That's to do with the structure of the classes and the flexibility. What we are going to do is offer much greater flexibility in relation to English language classes. We're going to trial a number of methodologies, including for example having English language classes and childcare centres co-located so that mothers, and sometimes fathers, can more easily undertake those English language classes.

English is absolutely critical to being able to be employed in today's day and age. Particularly with occupational health and safety standards, which means that you must have at least a basic level of English to be able to be employed. The data shows, the better your English, the better the chance of being employed. We have to work on that and we're going to be doing more in that regard.

Secondly, we're going to be reaching out to the business community as well. We know that there's enormous good will out there to support refugees into jobs. There's companies like Allianz and Woolworths who have done great work, and we'd like to see other companies also replicate those

types of activities. Equally, we'd like to see whether or not we can scale up some of those brilliant community organisations, such as Thrive in Melbourne and Sydney, which do such great work in terms of providing opportunities for refugees as well. Can we scale them up? Can we replicate those to get better outcomes?

And thirdly, we need to coordinate our services better. To that end, we're putting in place a coordinator-general to better manage that. That coordinator-general will report directly to the Minister and the Secretary and ensure that we don't have services which are siloed but rather coordinated together to provide that full support which a person needs.

I'll finally mention, of course, that we also want to ensure that we get more people into the regional areas where it is possible to do so and we're setting a new target of 50 per cent of refugees to be located into regional areas, rather than just into certain pockets of Melbourne, Sydney and Brisbane. And we think in that end it can assist in terms of fulfilling some of the workforce shortages in those regional areas, but also provide refugees a welcoming environment to work and settle there as well. We're already doing well in that regard, with a 50 per cent target. We want to work on that.

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URL:<https://minister.homeaffairs.gov.au/davidcoleman/Pages/interview-doorstop-melbourne-20200207.aspx>

Last update: Friday, 07 February 2020

Exhibit 4:
Teacher reports on site facilities 2019

Reports on Site Facilities from ACTA 2019 Survey

1. Some classrooms are good but many are awful, no windows, no technology, not enough space to move around.
2. Technology is satisfactory in the rooms where it is available, but is problematic in the rooms where it is a mix of old and new technology. Staff prep areas are very noisy when everyone is at their desk and the kitchen facilities are not designed for people to do anything except put food in a fridge and make drinks and wash dishes. There is no place to sit and socialise with colleagues unless you go to the student cafeteria
3. Many of our classrooms are very nice and the teacher areas are new and comfortable. But some of our classrooms are windowless boxes with no technology at all. We were promised that these rooms would be upgraded within a year of our arrival, but nothing at all has been done. Compounding this is that we have been told that we are not allowed to put anything on the walls (no maps, posters, student work - nothing). It is very depressing for the students, and some traumatised students find it very difficult to be in these rooms.
4. Unfortunately, being a small campus, there is not a computer room available for my students as it is taken up for IT students.
5. We share a building with other organizations. Everyone uses the same kitchen and toilets. The classrooms are small and stuffy. The centre has no windows. There are Chromebooks for students to use, but when they are broken, nobody seems to fix them.
6. Some classrooms are good; others are not. The air quality, heating and air-con are very different in different parts of the building. Quite a few classrooms have no natural light or windows.
7. TAFE has very visible OHS issues compared to the work conditions of school teachers; the staff room is cramped, poorly equipped and the tea/lunch making facilities are in the same open area; staff have no privacy; however some TAFE teachers are blissfully ignorant of what they do not have and grossly dismissive of registered ITE teachers, when in fact they are lucky to have them as volunteers
8. At Navitas the chairs were the cheapest and not good for students (hard plastic with no padding and not terribly ergonomic). There were laptops but the wifi was extremely unreliable. I set up my own class libraries for each level and paid for everything out of my own pocket. There weren't enough student toilets for the number of them. There was one disabled toilet that had a 'Staff toilet' sign put on it. The staffroom was way too small for the number of teachers using it but it seems their new venue will be even worse.
9. Eventually Max Solutions had some things in place, but on the first day there were no toilets/kitchen available for students to use and they were told to go across a busy road and use the public library across the street. There was nothing in the way of recreational facilities for students but by about Week 6 they had an open area upstairs for students to use during break time. Staff facilities were shared with general Max Employment staff and I think some staff were a bit put out at having their space invaded. Classrooms had to be built during the first few weeks which meant many students had to suspend their studies while construction was going on. The classroom I taught in was pretty cramped for the 20-25 youth students I had. There were banks of Chromebooks available for use in class but I had to negotiate with other class teachers to use them but there was no booking system so it was essentially first in best dressed. No smartboards, had to haul in a projector and set it up in a cramped classroom. Admin was essentially a single desk in the foyer. No staff room and no place to get away from students, and admin staff would try and 'catch' me during lunch break to answer questions. I would literally dash out the door during my lunch break so that I could just be alone and in a quiet place for 30 minutes.
10. For classes held outside the main campus, the classroom facilities and technology were quite unsatisfactory.
11. Facilities vary depending on the classroom. Some have no facilities, others have projectors and laptops Majority of these do not have means of playing CDs
12. The ventilation in the staff room and classrooms is often not good enough. The air seems thick and stale at times. Often I and some of the students experience sneezing, light-headedness and the need to go out for fresh air. Student toilets are often very smelly during most days. Staff toilet is relatively clean but sometimes dirty.

13. Many classrooms are good however have constant problems with heating and cooling in some over Winter/Summer...seems to have been an ongoing conversation since I started - 5 + years ago
14. The student iPads had some problems but we are working on them.
15. Outdated facilities.
16. There is never enough indoor recreational/lunchtime space for students. The staffroom is extraordinarily overcrowded, noisy and very difficult to work quietly and creatively.
17. There is a small office for all teachers, and at peak hours all teachers have to fight for a computer. There is not enough space for storage. Moreover, the staff room is cold in the winter, and hot in the summer.
18. There are no teacher-only toilets.
19. Classrooms are never cleaned properly - cleaning only covers the floor areas not table tops, or seats or the chewing gum stuck under tables, or the whiteboard ledges, or the windows. The computer labs are old and clunky - poor lighting, worn out seating and the systems are very slow. No separate toilets for staff and toilets are infrequently and not properly cleaned - an ongoing reporting the problem but no real results situation.
20. A staff room did not exist when I worked at Max Solutions. I understand there is a small one now. Staff and students still share toilets. There is no dedicated room for private conversations between trainers, managers, admin staff or students. Casual migrant admin staff (5 people do paid work one day a week helping admin staff and trainers), have access to trainers and students personal information and details.
21. "Once upon a time" there was a cafeteria on campus; now students bring their own or go off campus
22. Teachers should have more space.
23. What is very satisfactory? If it exists, is clean and functional then it is very satisfactory. The community classes and regional centres may not have all the facilities as listed. Community classes often do not have access to technology/ library.
24. Because we teach by distance, our AMEP students do not attend the centre. They live all over Australia. The biggest problem for us is noise. We can hear other teachers and people walking through the building.
25. TAFE Digital has no provision for students' onsite learning.
26. Technology: sometimes not enough computers for number of students in the classes Library: more updated resources are needed, More bilingual dictionaries. Toilets: they need cleaning hourly. Staff share toilets with students and visitors. Never been in a workplace before where staff didn't have their own toilets. NO First Aid room in this building either.
27. Do not have separate staff and student toilets.
28. Distance learning teaching environments: attention to noise levels in the office is required . Partitions would be useful as opposed to the open plan office setting
29. Open spaces are not conducive for concentration or creativity. We are like battery hens in aisles.
30. The building we occupy consists of concrete blocks built in the 60s. There are holes in the staff room ceiling and when it rains we have water fountains flowing down the stairs from the 3rd to the 1st floor. The lift is ancient and staff and students have been trapped in there. It has been repaired but obtaining parts proved difficult. Air-con often cuts out and the wifi etc is unreliable. Facilities and IT constantly attempt to fix things (they are a boon to their profession) but the age of the facilities installed means it's an uphill battle. Currently things are being patched up as a new architecture designed complex is in the process of being built in the TAFE grounds. The construction work surrounding TAFE adds to the chaos. A sign had to be placed at the front of the building to indicate we were still open for business. There is a new library but no independent learning centre.
31. Not much in library for teachers. Classroom cold and dusty, so unhealthy. No interactive whiteboards. No water in reception.
32. My campus has very good facilities. However the PTA room is somewhat isolated and there is no duress alarm
33. It's a very old TAFE campus but is good enough for what we do.
34. We have been directed to use more technology in the classroom and one day a week my role is to support teachers in being more digitally innovative. However, we do not have enough computers/devices to do this so teachers are not able to use technology except in a very peripheral way. Teachers do not have a separate lunch or kitchen area to spend time together away from students.

35. Staff room is very crowded.
36. Old building; plumbing is appalling; 20 teachers in a space previously occupied by 4 teachers in the last contract; no onsite IT support; no separate tea room despite union requests to supply a space and this is unlikely to change with the move to a new venue. Chairs for students are uncomfortable and not good for people studying for 4-5 hours. Desks are fine. Centralised heating is poor, but addressed by management to improve the cold classrooms.
37. We should have smart boards in every room a permanent room. Ideally there should be computers for all students.
38. Staff and students share quite adequate toilet facilities. We don't have a staff room. We have a lunch table in a large elongated room, which is the work space for 12 teachers. As lunch times are staggered teachers at work at their work stations find it difficult to isolate themselves from the noise of lunchtime chatter.
39. Complete joke.
40. Toilets are in demountable facilities.
41. Teachers' office space very crowded with unsatisfactory space for storage - dark and dismal. Teachers' resource room lacks space for ease of usage - dark and dismal.
42. Our classroom has poor ventilation, 2 of the 5 fans are broken, 2 of the 3 air con units are broken, there is no heating so it was quite uncomfortable in winter. We have computers, but they are not networked in any way, and the projector doesn't work (and the projector screen covers the doorway for some reason, so no one could enter/leave the classroom while the screen was down anyway), so I can't show my screen, videos or Power-points or anything like that. There is no covered area for students to sit and eat their lunch, and there is no indoor space for them to spend time together. There is a pool table in the canteen, but it is very cramped uninviting space and no one uses it. The library isn't a bad space, but there is not much there in the way of books, so the students don't use it. I have brought my own books from home that they can borrow, so that they can access reading material easily.
43. Toilets smell, there's no ventilation. Old. The technology is very bad, computers take a long time to start up, software is old and slow. The classrooms are drab, not all rooms have a computer and Benq.
44. Our facility is a mix of old, unsatisfactory buildings and some beautiful, well equipped new buildings.
45. Keeping our IT services up to date has become a real issue. We receive much less AMEP funding which has affected things like IT, and extra-curricula activities which are important in the youth program.
46. Some classrooms are excellent but some lack computers which is a major hassle.
47. A place for students to have lunch in the same building as classrooms? No. Students sit on couches with microwaved lunch on their knees!
48. I work in a small centre which is relatively comfortable. We have reception area which now has an admin person about half a day each week.
49. Ventilation is very poor. I have reported and complained many times which falls on deaf ears. The room has no natural or built in ventilation and so smells very mouldy - a work place health and safety issue I'm sure. It is a room built within a room, done on the cheap without proper planning. I asked for a window - they gave me a small frosted one that doesn't open, so no natural light and no fresh air.
50. Poor signage in to EAL main building.
51. Very new, all whiz-bang but not ideally fit-for-purpose, given the clientele. Well-located.
52. The buildings are old, nor adequate air-conditioning in many classes, staff kitchen doesn't have soap and paper towels, teachers provide that at own cost, as well as the kettle. The photocopiers are a joke, they are so old and broken more than half of the time. Teachers' valuable preparation time is eaten up by photocopying and often by the meetings.
53. Library, toilets and recreational areas are "borrowed" from CIT (local TAFE institute).
54. Our computers are old, more than 5-6 years, Our computer class room printer is more than 10 years old, We only have one colour printer that often breaks down, We don't have any smart boards onsite.
55. Computer room no longer available for classes I teach, and library computers are always booked by other teachers. Occasionally I can access Ipads. Wifi doesn't work for students, and often doesn't work on Ipads so can't rely on using them.
56. Although I am employed by TAFE, I work at a community centre, and we do not have any computers or Wifi access for students, which I believe contravenes our contractual obligations.

57. Students are unable to use technology as they don't have student numbers due to TAFE's new system. This also hinders their ability to gain transport concessions
58. Admin & reception areas too small for storing all the necessary paper work/student portfolios etc. Storage is split between 3 levels of the building making work tasks inefficient and time consuming when retrieving files.
59. Administration area located in crèche at Balga campus.
60. I am located at a community centre, where students do not have access to Wifi or computers, which I believe contravenes or contact obligations. It is very challenging to assist students with typing up essays when we do not have this basic technology.
61. Basic technology is there but we do not have any smartboard (too expensive), only projectors with no interactive feature. The classrooms are adequate, but broken blinds on the windows make it difficult to see the projections clearly. This is a campus maintenance issue, and I've been told there is no money for this.
62. Bad air con, very hard to work in. Share toilets with students. Only one sanitary disposal box in the ladies' toilets
63. Toilets are shared with students. There is little heating and cooling in most Migrant English classrooms. HQ to our horror were moved into the library and are front of house - very threatening look. Staff room is cramped though there is a TAFE staff lounge in another building.
64. Our ventilation and air con is totally unsatisfactory.
65. The air conditioning often plays up in the building where the classrooms are located. There are no sporting facilities for students.
66. Not every classroom has access to the same technology, it depends what classroom you are in, this also applies to ventilation and heating.

Exhibit 5:
NEAS AMEP Standards Manual

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Exhibit 6:

Continuing problems with file verifications and other QA matters

These notes were sent to the ACTA Vice-President. They are reprinted with the sender's permission

It's only fairly recently under Home Affairs, that responsibility for the assessment of suitable qualifications for delivery of the AMEP was taken from LWA and returned to the Department of Home Affairs.

While the AMEP was with the Department of Education and Training, LWA would, without consultation, tell us when a 1, 2 day or all day, Professional Development session would be delivered. This totally disregarded the fact that we are paid on client attendance and cancelling 2 days of classes came at a significant financial cost to the provider.

This changed with the move to DoHA when they became more sensitive to the circumstances of providers.

However, in our experience at least, LWA file verification audits are still nit-picky. We are picked up on matters that were never documented or distributed as requirements to be included in student files.

For example, where there are more than 20 people (in Pre-Employment Stream) or 25 people (in Social English Stream), we deploy an additional teacher to the class. We were picked up in the last round of file verifications because the two teachers in the class never signed the roll. Further, we were never advised of that both teachers should sign.

In other cases, we might be picked up because a teacher may have signed but not dated one of the pages attached to a student's assessment or they may have omitted to sign a page.

However, part of the reason for the mountain of paperwork that is required to accompany a student's assessment is the result of ASQA requirements. Compliance shouldn't really fall under the auspices of LWA. Complicating this is the fact providers in some states do not have ASQA as their regulating body.

We were also picked up on timetables not having the stream (Pre Employment or Social) written on the them when this is recorded elsewhere.

For SLPET students, they want unreasonable information. For example, when enrolling into the AMEP, a student might say they would like to become an accountant and this is included on their Pathways Guidance document. That might be the case but they also might want to do one of the Hospitality Stream SLPET courses to enable them to get weekend work in a restaurant or major hotel. LWA expects us to have all of this documented. This is unreasonable to expect of teachers. They have better things to do than to complete paperwork to satisfy LWA audits. It takes away from preparing and delivering, relevant and engaging classes and marking students work.

The current system ties learner progression prior to SLPET solely to curriculum unit assessment outcomes. This discriminates against part time and evening students who will not have achieved the volume of learning to complete a curriculum unit (the units we deliver mostly require 120 nominal hours). Some of these students want to enter a SLPET course on a full-time basis and they have shown through regular attendance and their teacher's judgment that they have progressed sufficiently to undertake a SLPET course.

We have staff who participate in the CSWE validation of assessment task sessions with providers from around the country. LWA had no clue about CSWE but are always talking about ACSF not CSWE. However, in the last meeting in July, 2024, LWA asked whether the focus should be the curriculum or ACSF and it was 50-50 split of opinion. This was peculiar as surely the major

requirement is delivery of units from a curriculum, not on ACSF requirements and focussing on the ACSF is not validation of assessment tasks for CSWE units.

In a meeting in February 2024 staff did validations face to face in Melbourne and LWA asked about AMEP on-line and providers were wary of divulging too much information. This was because the LWA AMEP online doesn't cover all of underpinning skills and knowledge in addition to the elements. Consequently, they are of no use to providers regulated by ASQA. The online units we have developed cover all of the elements and all of the underpinning skills and knowledge as required by ASQA.

In a more general sense, LWA have moved away from delivering PD but are expecting providers to deliver/engage in PD through the Communities of Practice and the Validation of Assessment Task meetings. To be fair, I don't believe that this was their remit but it was made so by the Department of Education and Training and this continued under DoHA for a period of time.

Vic TESOL is active in delivering PD to its members and LWA have asked them to deliver PD for AMEP providers on occasion.

Another example of LWA having their head in the sand relates to the LWA assessment task bank. For providers regulated by ASQA, a number of the Assessment Tasks are unusable as they are not ASQA-compliant because they do not cover all of the elements and underpinning skills and knowledge. Consequently, since ASQA came down heavily on providers we have had to write our own assessment tasks and put them through a rigorous process before they can be released and used as assessment tasks.

It all seems a long way from the PD provided with the CSWE Curricula in the 90's when the PD was real and focused on genre theory, systemic functional linguistics and adult learning theory to complement teacher training courses that focus on approaches to learning for primary and secondary school students.

Exhibit 7:

ACTA proposal for an Advisory Body Sept. 2022



AUSTRALIAN COUNCIL OF TESOL ASSOCIATIONS

PROPOSAL FOR AN AMEP ADVISORY BODY

Rationale

A central recommendation of the most recent AMEP review was the creation of an AMEP Advisory Committee, viz.:

The department should establish an AMEP Advisory Committee, representing all key stakeholders, to oversee change, innovation and continuous improvement in the AMEP.

(Social Compass, 2019. Evaluation of the Adult Migrant English Program New Business Model, p. 22)

The report pointed out that “*with better expert advisory structures, some major challenges and unintended consequences of implementation [of the previous contract] may have been avoided.*” It noted that “*the organisational change literature argues that the active engagement of staff delivering programs is central to effective program redesign*”. Essential to continuous improvement is making use of “*the expertise of AMEP teachers and service providers, who are at the forefront of program delivery.*”

In September 2020, the Department of Home Affairs appointed an AMEP Advisory Committee of 7 members for “*an initial period of six months.*” Its role was to “*oversee reform implementation, innovation and continuous improvement in the AMEP*”. That Committee was disbanded in July 2021.

The following proposal is for an advisory body that is **different to the previous Committee, in that:**

- advice from the advisory body goes directly to both the Immigration Minister and the Department
- the advisory body is set up by the Department (and ultimately the Minister) but its membership is nominated by stakeholders and approved by the Minister
- the advisory body has an initial term of office for 3 years, albeit with changes of membership, but its continuing existence is assumed
- confidentiality requirements are limited.

Purpose of the advisory body

To provide regular and on-going advice to the Immigration Minister and Department of Home Affairs on all matters professionally-related to the AMEP.

Membership

The membership of the body to represent:

ACTA (2 members)

AMEP providers (2-3 members nominated by the AMEP managers' group)

AMEP teachers (1-2 members proposed jointly by ACTA and provider members)

Settlement Council of Australia (1 member)

Australian Education Union & Independent Education Union (1 each)

Members to be nominated by the bodies they represent and approved by the Minister.

Membership to be reviewed & reconfirmed annually.

Commencement: as soon as possible and well in advance of finalising the RTF.

Initial term: 3 years.

Meetings

The advisory body to be chaired and given executive support by Department of Home Affairs AMEP Team officials. Other DHA and interdepartmental personnel in attendance as appropriate.

Confidentiality:

- Agendas and minutes **not** confidential; circulated to all AMEP providers and other stakeholders.
- Supporting papers released by agreement with DHA
- Details of actual meeting discussions subject to confidentiality agreements.
- Members of the body free to speak to stakeholders about items detailed in the minutes but not actual meeting discussions.

Timing: initially at least monthly; later as agreed.

Possible Topics for Initial Meeting Discussions & Advice

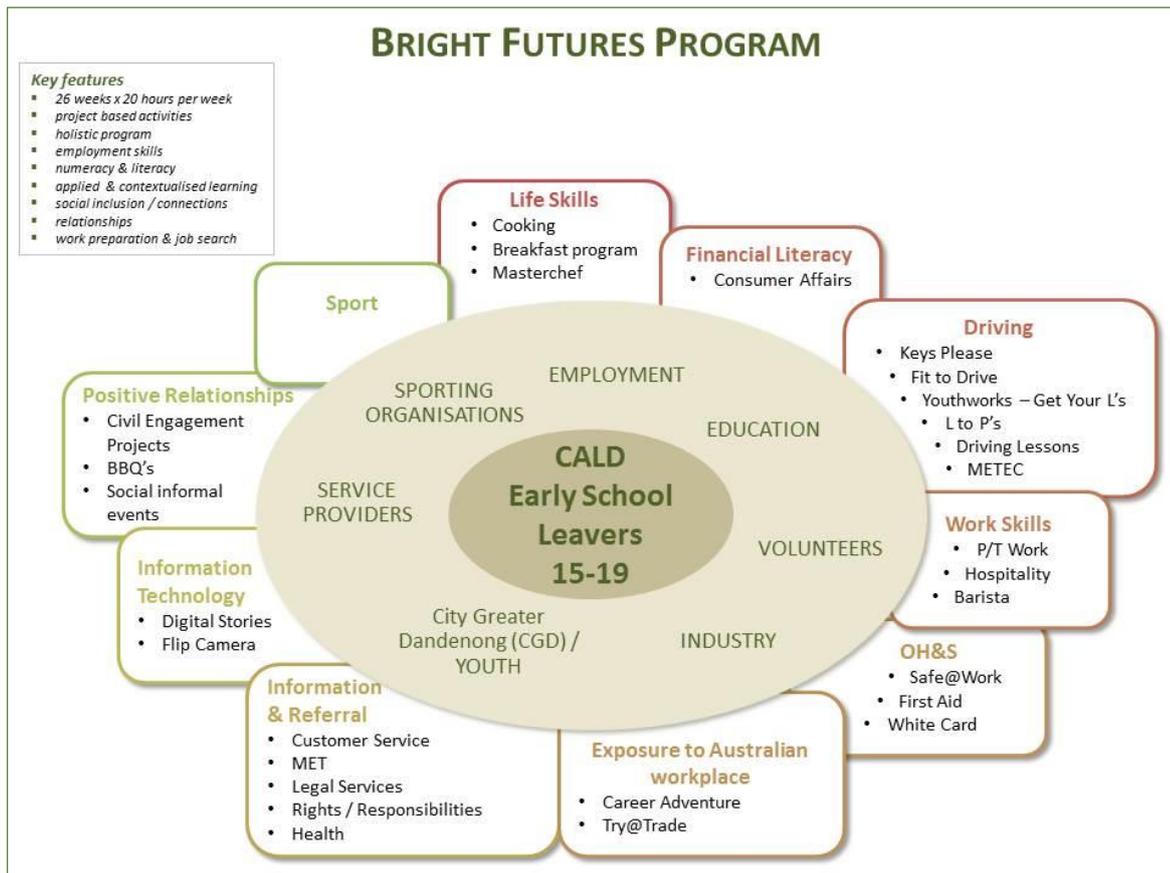
1. The forthcoming RTF:
 - a. Optimal timing
 - b. How best to obtain feedback on a draft RTF
2. Developing an authentic and effective AMEP outcomes and quality assurance framework
3. Contracting for the AMEP: how to maximise effectiveness, efficiency and quality
4. Feedback on and review of the Information Management system.
5. Teacher recruitment, qualifications and professional development.
6. On-going review of the curriculum, approaches to curriculum and relationship to ASQA requirements.
7. Effective development & utilisation of AMEP resources, including recovery of lost quality resources.

Exhibit 8:
Loss of an exemplary program

Example of an Exemplary Program that was discontinued in 2017

This exemplary youth program was developed in Melbourne over approximately ten years by AMES Australia. Core funding came from an AMEP contract. It was supplemented by additional grants that the program attracted.

The program was discontinued when AMES Australia was unsuccessful in gaining the 2017 contract to deliver the AMEP in metropolitan Melbourne. The teachers who had developed the program took early retirement.



Example of an integrated approach to provision for refugee youth with minimal/no previous schooling