



Action Plan for the Adult Migrant English Program (AMEP)

5 June 2022

The following request for urgent action regarding the Adult Migrant English Program is respectfully directed to the Hon Andrew Giles, Minister for Immigration. The request is from **The Australian Council of TESOL Associations (ACTA)**, which has endorsed this request. ACTA is the peak professional body for TESOL (Teaching English to Speakers of Other Languages) educators in adult and school settings and comprises representatives from state and territory TESOL professional associations. Members include teachers, program managers, researchers, consultants and curriculum developers.

The Action Plan was developed by the newly formed **ACTA Adult TESOL Consultancy Group**, which includes senior personnel from major providers in five States and one teacher education institution.

The requested actions are as follows:

- 1. Defer and review the Request for Tenders (RFT) for AMEP contracts for 3 – 6 months to enable review and further consultation with key stakeholders.**
- 2. Circulate a draft Request for Tender to allow feedback and refinements.**
- 3. Allow providers to defer moving to the EAL Framework until it is re-accredited in 2024.**
- 4. Request ASQA to clarify, by including an explicit example, that their requirements for skilled trainers and assessors are met by AQF level 8 qualifications in teaching English as an additional language (EAL) that include attention to adult learning.**
- 5. Develop a substantive outcomes framework to govern the AMEP.**
- 6. Set up an AMEP Advisory structure that provides a source of substantive, on-going independent advice on the AMEP, including from experienced stakeholders and other experts.**

In consideration of these requested actions, ACTA also respectfully requests the Minister to meet with our representatives at his earliest convenience.

Action Plan for the Adult Migrant English Program (AMEP):

Brief Elaboration of Key Points

ACTION 1: Defer and review the Request for Tenders (RFT) for AMEP contracts for 3 – 6 months to enable review and further consultation with key stakeholders.

When? Now

Why? ACTA understands that the RFT that was developed for publication in June 2022 adopts the funding model described in the November 2021 Home Affairs *AMEP Consultation and Funding Model Comparison Report*. This funding model is profoundly unsatisfactory because it:

- monetises student assessments and thereby perversely incentivises providers to maximise these assessments.
Over-assessment in the AMEP is already a major source of criticism by students, ethnic community organisations and reviewers because they encourage a superficial grasp of content and undermine the quality and depth of student learning.
- perversely incentivises unreliable reporting on student attainment, making AMEP assessments worthless
- perversely incentivises providers to place students in classes well below their actual English proficiency level in order to maximise payments contingent on students' attainment of outcomes¹
- will require intensive, costly, time-consuming, punitively directed and largely ineffective compliance auditing to mitigate these perverse incentives
- multiplies administrative requirements at least sixfold
- requires major re-thinking in regard to funding for childcare
- does not resource the necessary on-going support required for volunteers
- was not recommended in *any* report or submission that is in the public domain
- was rejected in all the consultations undertaken by Home Affairs.

Supporting evidence & documentation. See all submissions to Home Affairs on the AMEP Reform, including ACTA submissions (see Attachment 1).

¹ Currently, approximately 30% of AMEP students *in any one cohort* attain curriculum outcomes. The reasons lie with gaining employment, domestic responsibilities, the effects of torture and trauma. ACTA warmly welcomes the reform to the AMEP that now allows students to withdraw and return to the Program until they gain vocational English but this reform does not solve the problems in the proposed payment model.

ACTION 2: Circulate a draft Request for Tender to allow feedback and precise refinements.

When? Following Action 1 above.

Why? The change of government coincident with the new AMEP contract presents a unique opportunity to undo the damage of previous contracts and return the AMEP to: (i) meeting adult migrants' actual English language learning needs and aspirations, and (ii) its place as a world leader as an English language program for adult migrants.

This reset would not be difficult but it requires substantive and genuine consultation with existing and potential quality providers and other stakeholders. Close engagement with and feedback on the draft RTF – in addition to the consultations that have occurred so far – would allow attention to details and thereby mitigate time-consuming revisions and negotiations re tenders and contracts after the fact.

It would also assist in giving potential providers a general indication of the directions of the forthcoming RTF, promoting efficiency, and saving time and human and material resources.

A precedent for circulating a draft RTF occurred with the last contract.²

ACTION 3. Allow providers to defer moving to the *EAL Framework* until it is re-accredited in 2024.

When? Now

Why? The new contracts will require all providers to deliver the *EAL Framework* as the national AMEP curriculum. For providers who do not currently deliver the *EAL Framework*, transitioning to meet ASQA accreditation requirements will entail considerable work and therefore substantive staff costs, which are not covered by AMEP funding. In 2024, the *EAL Framework* will be re-accredited and, on all indications, substantially changed. Those who have just completed the switch to the old *Framework* in 2023 will be faced with a second costly, complex and time-consuming compliance process in less than two years. Students continuing with these providers will be confused and discouraged by the procedures required to determine equivalence between their 2022, 2023 and 2024 assessments. To avoid this wasteful cost and disruption, providers should be permitted to continue with their current suite of curricula for the first 6 months of the new contract in 2023 and introduce the revised/updated EAL for the start of 2024.

The Home Affairs papers radically underestimate what is required of providers to switch from other curriculum to the EAL Framework.

Supporting documentation:

(1) Providers alerted Home Affairs to this problem in their submissions on the AMEP Reform.

(2) See **Appendix A** below for an outline of the extensive requirements entailed in transitioning to a new ASQA-accredited course.

² The problem was that feedback on the draft RTF was completely ignored. That contract included requirements that were unworkable (e.g. re streaming students), unnecessarily expensive (e.g. allowing curriculum choice – see Action 3) and some that almost destroyed the AMEP (e.g. doubling of assessment requirements).

ACTION 4: Request ASQA to clarify, by including an explicit example, that AQF level 8 qualifications in teaching English as an additional language (EAL) which include attention to adult learning meet their requirements for skilled trainers and assessors.

When? Now

Why? The ASQA qualification requirements for skilled trainers and assessors, as described on their website, fail to include an example of acceptable TESOL qualifications in their examples of “What constitutes a diploma or higher qualification in adult education”. Consequently, these requirements are variously and inconsistently interpreted by providers of English as an Additional Language courses, including AMEP providers, which results in discouraging qualified and experienced TESOL teachers from seeking employment in the AMEP. Inconsistent application of ASQA requirements by employers has also contributed substantially to resignations by experienced AMEP teachers.

Supporting documentation: see [Clauses 1.13 to 1.16—Employ skilled trainers and assessors | Australian Skills Quality Authority \(ASQA\)](#) and specifically Clause 1.16.

ACTION 5: Develop a substantive outcomes framework to govern the AMEP.

When? As soon as possible.

Why? The “Outcomes-Based Payment Model” (as described in November 2021 Home Affairs paper) pays for outcomes that bear *no* relation to the high aspirations described in the earlier Discussion Paper. The proposed payment model would be the worst in a succession of AMEP contracts that have lost sight of the nation-building outcomes to which the AMEP is supposedly directed.

The public administration literature documents abundant and overwhelming evidence that direct payments for specific outcomes are inherently distorting, perverse and fail to achieve their stated goals.

The *Fine Print* article cited below outlines a principled, clearly articulated approach to specifying substantive AMEP outcomes and evaluating the performance of individual providers and the Program against these outcomes.

Supporting documentation. Moore, Helen (2022). *W(h)ither the Adult Migrant English Program? Political posturing and real outcomes*. *Fine Print*, 45, 1, 31-41 (attached).

ACTION 6: Set up an AMEP Advisory structure that provides a source of substantive, on-going independent advice on the AMEP, including from experienced stakeholders and other experts. A priority should be a review to determine standards for TESOL qualifications suitable for the AMEP.

When? As soon as possible

Why? The most recent review of the AMEP recommended the creation of this structure. It stated:

With better expert advisory structures, some major challenges and unintended consequences of implementation [of the current contract] may have been avoided. Organisational change literature argues that the active engagement of staff delivering programs is central to effective program redesign (Deci, Olafsen & Ryan 2017; Robertson & Wagner 2012; Senge 1990). In the context of the AMEP, continuous improvement strategies should make use of the expertise of AMEP teachers and service providers, who are at the forefront of program delivery. These key stakeholders know most about the realities of teaching English to migrants in Australia and should be involved in the ongoing design of the AMEP. An AMEP Advisory Committee that includes teachers and service provider representatives is needed to oversee and facilitate change in this important and long-standing program. This Advisory Committee should also include representatives from organisations and government departments that support migrant settlement in Australia. (p. 22)

Supporting documentation. Social Compass. 2019 (August). *Evaluation of the Adult Migrant English Program New Business Model*. For the Department of Home Affairs.

APPENDIX A

REQUIREMENTS FOR TRANSITIONING TO A DIFFERENT ASQA-ACCREDITED COURSE

In transitioning to deliver an ASQA-accredited course or equivalent, Registered Training Organisations (RTOs) must meet, and extensively document their compliance with, at least the following requirements.

1. Design, implement, monitor and evaluate training and assessment strategies and practices for the new course.

This requirement has wide implications. RTOs must demonstrate that they have the systems, approaches and capacity to deliver the new course in a quality manner, including having specific training and assessment strategies, compliant assessment resources, and learning resources that meet the requirements of the new qualification. This may mean complete creation of new resources from scratch.

See: <https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clauses-11-14-and-22-implementing-monitoring-and-evaluating-training-and-assessment-strategies-and-practices>

2. Conduct meaningful industry engagement to ensure course design and delivery strategies meet the needs of students and industry.

The provider must demonstrate that the course design and delivery strategies respond to (i) relevant student needs and (ii) consultation with industry.

This requirement is particularly demanding because the AMEP is a generalist English language program that is not tailored to any particular industry.

See: <https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clauses-15-and-16-engage-industry>

3. Demonstrate the capacity to conduct effective assessments.

In practice, documentation must show how the assessment resources in the new course are designed, validated and informed by student and industry needs. (See also points 1 and 2 above.)

Our advice is that the tasks and documentation in the current AMEP Assessment Task Bank do not satisfy these requirements.

See: <https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clauses-18-112-conduct-effective-assessment>

4. Conduct independent validation of assessments systems, tools, processes and outcomes.

<https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clause-125-independent-validation-training-and-assessment-qualifications>

5. Document that teachers hold the qualifications specified by ASQA for delivering the new course and the strategies to deal with teachers who do not.

See: <https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clauses-113-116-employ-skilled-trainers-and-assessors>

<https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clauses-117-120-provide-supervision-trainers-where-needed>

<https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clauses-122-124-employ-experts-teach-trainers-and-assessors>

6. Manage the transition to the new course

Managing the transition entails considerable administration and careful planning, for example, in:

- undertaking Recognition of Prior Learning (RPL) assessments for both teachers and students where necessary in a manner that is educationally sound and compliant
- moving students smoothly from one qualification to the next
- teaching out the old qualification where required and possible.

See: <https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-4-training-and-assessment/clauses-126-127-manage-transition-superseded-training-products>

7. Inform and support students through the transition.

Students are liable to be discouraged by the transition process and to withdraw. Providers must prepare and explain requirements and assist with all documentation, which is particularly demanding with English language learners. Assessment resources must include a suite of student information documents to meet ASQA compliance standards. Transition to a new course involves considerable back-end updating of this information and development of new materials.

See: <https://www.asqa.gov.au/rtos/users-guide-standards-rtos-2015/chapter-3-support-and-progression>
