

**Meeting with Mr Leon Pun, advisor to Minister Dr Anne Aly,
& representatives from the Australian Council of TESOL Associations (ACTA)¹
Monday 18 August 10am**

TOPIC: Issues regarding the Adult Migrant English program (AMEP)

PROPOSED AGENDA

KEY ISSUES - SUMMARY

1. **Urgent:** Difficulties in delivering **the mandated AMEP curriculum** in line with requirements for VET accreditation.
2. **Longer-term:** the **contracting framework** for the AMEP.

SOLUTIONS – SUMMARY

1. Home Affairs to meet with ACTA to discuss mitigation strategies.
2. Relevant authorities in Home Affairs and DEWR to resolve immediate accreditation problems.
3. All aspects of the AMEP to be independently reviewed, including an evidence-based evaluation of the current contracting cycle.

1. The curriculum

THE PROBLEM

Excessive and inappropriate compliance requirements:

- **prevent AMEP teachers from delivering optimal English language tuition**
- **is the root cause of student dissatisfaction with excessive testing.**

How and why is compliance excessive and inappropriate?

1) VET accreditation requirements are not fit for AMEP purposes

AMEP students want to gain recognised Certificates. The AMEP delivers a curriculum that is accredited within the VET system² and that leads to Certificates recognised within the Australian Qualifications Framework (AQF).³

VET curriculum accreditation requirements are designed for trade, technical and vocational qualifications. These discretely itemised, highly specific requirements are a bad fit with the broad, non-linear and integrated development of skills that is needed in learning and teaching English.

Meeting current VET requirements:

- has narrowed the content that can be taught

¹ **ACTA** is the peak Council of State and Territory professional associations for teachers of English to speakers of other languages in all sectors (adult, schools, early childhood). <https://tesol.org.au/>

This paper is prepared by the ACTA Adult ESOL Consultancy Group. It consists of self-selected senior AMEP managers from various TAFE Institutes, other senior TAFE personnel involved in curriculum development, Foundations Skills and interface with industry, AMEP teachers, other teachers of adult English language learners in TAFE settings and two teacher educators.

² VET = Vocational Education & training.

³ <https://www.aqf.edu.au/> Courses are accredited for 5 years. The current AMEP curriculum is accredited for the next **four??** years.

- has reduced teaching to test preparation and testing – the main source of criticism of the AMEP since 2017⁴
- entails a punitive marking system that makes it difficult for students to succeed in tests, incentivises teaching to the test, and coaching on test items
- requires documenting evidence for student test performance and test conditions that is excessively detailed, disproportionate to the task, sometimes duplicated and not fit-for-purpose
- are frustrating students and teachers
- are hindering effective learning and teaching.

See Appendix A below for details.

2) Different accrediting authorities

The AMEP curriculum that is mandated by the forthcoming contracts was developed to meet **Victorian Registration and Qualifications Authority (VRQA) accreditation requirements**. This qualification is recognised across Australia.

However, providers outside Victoria must meet **their own State/Territory accreditation authorities' requirements** for delivering curriculum.⁵ Notionally, all requirements are in synch. In practice, other States' requirements are often different, more detailed and complex than those governing the AMEP curriculum design.

For non-Victorian providers, these differences and misalignments are making compliance with their particular authorities' requirements excessively complex and time-consuming.

ACTA requests

1) **Urgent:**

- i. Home Affairs to meet with the ACTA Adult ESOL Consultancy Group to discuss how to mitigate current problems with compliance in the short-term.
- ii. The Home Affairs and DEWR Ministers to consult with a view to requiring ASQA, WATAC and VRQA to resolve the current differences in compliance requirements in delivering the AMEP curriculum.

2) Immediately following the award of the new AMEP contracts, Home Affairs to set up an **implementation advisory group** (including the VRQA-designated AMEP curriculum maintenance manager, the QA provider, ACTA representatives, provider representatives & the Settlement Council of Australia) to:

- i. consult with providers in seeking ways to mitigate problems arising from the current version of the curriculum
- ii. consider the implications of the 2025 VET *Training Package Organising Framework*⁶ for the next AMEP curriculum
- iii. make recommendations regarding the role of the new AMEP Academy in relation to (i) & (ii) above.

⁴ The Settlement Council of Australia report [Maximising AMEP and English Language Learning Consultation Report - Settlement Council of Australia \(scoa.org.au\)](https://www.scoa.org.au) stated: "The overemphasis on assessment has inhibited learning, making it more academic, and less focused on effective settlement. Much of the class time is spent preparing for and conducting assessments, at the expense of actually teaching English ... [there is] not enough time leftover for teachers to focus on their core role of teaching English to help learners achieve settlement success." (p. 3)

MYAN reported: "The AMEP program is very assessment driven. ... The lack of flexibility to choose units and assessment tasks means that these are not always appropriate for young people's needs and prioritise academic rather than settlement outcomes. (p. 21) [amep_discussion_paper_10.pdf \(myan.org.au\)](https://www.myan.org.au)

⁵ Providers in WA are accredited by WA Trainee Accreditation Council (WATAC). All other providers are accredited by the Australian Skills Quality Authority (ASQA).

⁶ <https://www.dewr.gov.au/training-package-assurance/resources/training-package-organising-framework-effective-1-july-2025>

2. Contracting and contracts

Background

New AMEP contracts are yet to be announced.

Audit Committee Inquiry Report 511, Recommendation 3.

THE PROBLEM

The current model of contracting for AMEP provision and managing contracts for Quality Assurance prevents quality outcomes, because it is:

- **not evidence based**
- **wastes human & material resources**
- **inefficient & expensive**
- **not fit-for-purpose.**

How and why is current AMEP contracting not fit-for-purpose?

3. **Short-term contracts for the AMEP:**

- cause adult migrants to discontinue in the Program⁷
- massively waste human and material resources
- disallow quality planning and staffing
- necessitate a casualised workforce (that is largely female), which engenders a culture of fear and insecurity, and inhibits robust communication between providers, teachers and Home Affairs
- have no evidence to support their claimed advantages.

4. **The KPIs for the new AMEP contracts:**

- do not target the constituents of quality performance
- will not further the AMEP's settlement and English goals
- are unworkable
- incentivise gaming.

See Appendix B below.

5. **Current Quality Assurance auditing:**

- is focussed on trivia in the name of quality
- is costly
- achieves no evidence-based benefits
- is protected from criticism and feedback from the grass roots by the nature of the contract.

⁷ Data from the Social Compass review of the 2017-21 AMEP contracts indicates that in pre-2017 contracts approximately 38 per cent of students are regularly lost in the transition between contracts. The transition to the 2017 contract saw 46 per cent of students discontinue. Social Compass. 2019. *Evaluation of the Adult Migrant English Program New Business Model*, p. 12.

Solutions:

- 1) In monitoring the performance of the AMEP, a distinction should be between the data required to:
 - a. **monitor the AMEP as a program** in regard to trends in enrolments, participation, English gains vis á vis relevant variables (e.g. demographics, age, previous schooling, experience of torture & trauma, home language etc)
 - b. **evaluate individual provider performance** (against standards recognised to impact the quality of provision).
- 2) KPIs and Quality Assurance should be tied to **Standards-based performance evaluation**.⁸
- 3) Providers should be incentivised by the prospect of long-term contracts based on their performance (in relation to recognised Standards).⁹

ACTA recommendation

An independent and comprehensive review of the AMEP should be instituted as soon as possible.

This review should include – but not be confined to – an evidence-based evaluation of the efficiency, effectiveness and value for money of the current contract and its governing framework, including the Request for Tenders, the evaluation of tenders and award of contracts, the implementation of the specified KPIs and Quality Assurance procedures, and how the perspectives of stakeholders (students, teachers, managers, and advocacy groups such as ACTA and the Settlement Council of Australia) are accessed and considered.

⁸ The QA provider prior to the 2017 contract developed a comprehensive set of seven AMEP Standards described in 27 pages: <https://tesol.org.au/wp-content/uploads/2019/01/AMEP-Standards-Manual-2009.pdf>. The 2015 ACIL Allen Evaluation of that AMEP contract stated:

The quality assurance processes offered by NEAS are in place to ensure that the services delivered by AMEP service providers, with respect to resources, facilities and processes, are maintained at an appropriate standard, and that a beneficial and positive learning experience will be achieved by clients whilst undertaking the programme. Through ongoing quality monitoring, NEAS checks that only providers offering high standards of English instruction and administrative practice continue to be authorised providers within the AMEP (NEAS, 2011).

Consultations indicate that most AMEP service providers are satisfied with the role and professionalism of NEAS. The NEAS audits are undertaken in an effective and collaborative manner which helps improve the operations of providers.

ACIL Allen's Key Finding 27 was:

The role of NEAS is valued, with its audits undertaken in an effective and collaborative manner that help improve the operations of AMEP service providers.

[amep-evaluation-report.pdf \(homeaffairs.gov.au p.81\)](#)

⁹ In submissions to numerous Inquiries and reviews over many years, ACTA has put forward a workable and effective schema in support of this proposal, most recently Recommendation 18 in our submission to the Inquiry into the Contract Management Frameworks Operated by Commonwealth Entities [Q14 ACTA-Submission-to-Inquiry-into-the-management-of-government-contracts.pdf](#), p. 8.

Appendix A: Why the current curriculum is inappropriate for teaching English to adult migrants

The curriculum consists of specifications of **closely defined, narrow and separate “Units of Competence”**.¹⁰ These discrete and fragmented specifications do not support or reflect how languages are learned.

Everything specified in the curriculum must be assessed.

Student answers are marked right/wrong – one wrong answer or omitted word **fails a complete Unit of Competence**.

Written evidence must be provided for everything assessed.

The same/similar “elements” are **assessed several times** in different Units of Competence.

The **content cannot be covered** in the specified nominated hours for many Units of Competence.

Assessments must be done several times a week to cover required content in the specified hours (“nominal hours”). Classes are therefore completely focussed on **test preparation and administration**.

Units of Competence and Certificates are matched to English levels based on older assessment frameworks. **The actual English skills needed often differ from official benchmarks**, making alignment difficult.

Insufficient attention to listening comprehension, which is conflated with speaking skills.

Example Evidence Report Sheet

| Performance Tasks | Observed? | Give examples of how the performance tasks were demonstrated (quotes/examples MUST be provided): |
|---|---|--|
| Did the learner...? | | |
| 1. Show the object to the class and describe it? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 2. Explain the purpose of this object (what is it for?) | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 3. Explain the context of the object (when did they get it, where, etc.)? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 4. Use appropriate vocabulary? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 5. Give simple explanations about the information (such as reasons why the object is important to them)? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 6. Use supports as required (realia)? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 7. Respond to requests for repetition, clarification or explanation as required (at least two questions from audience or assessor)? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 8. Use simple time and place words and phrases or phrasal verbs? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 9. Use simple everyday adjectives for attitude. | <input type="checkbox"/> Yes | Example: |

| Performance Tasks | Observed? | Give examples of how the performance tasks were demonstrated (quotes/examples MUST be provided): |
|--|---|--|
| Did the learner...? | | |
| feeling or explanation, such as <i>I think this is beautiful</i> ? | <input type="checkbox"/> No | |
| 10. Use simple high frequency connectives to link ideas (and, but, so, because etc.)? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 11. Use simple high frequency verb tense forms such as simple present, simple past, imperatives, will and going to? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 12. Simple questions and statements, such as <i>This is from Thailand, I got it from my mother, what do you think? do you have any questions? etc?</i> | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 13. Intonation appropriate for questions or statements to give information (not delivered in a monotone)? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 14. Common polite expressions such as <i>Thank you, thanks, etc?</i> | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 15. Use paralinguistic cues such as body language (eye contact, nodding etc.)? | <input type="checkbox"/> Yes <input type="checkbox"/> No | Example: |
| 16. Give a prepared one-minute presentation on an appropriate topic without reading from notes? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

¹⁰ https://www.vic.gov.au/sites/default/files/2023-10/22636VIC-22646VIC_EAL-Framework.pdf

Appendix B:

Why the forthcoming AMEP KPIs are not fit-for-purpose

Report 511 of the Parliamentary Inquiry into government contracts recommends that contract performance be measured and managed “*through the development of **workable and effective key performance indicators***” (Recommendation 3, dot point 5; our emphasis).

The KPIs specified in the 2024 RTF for the forthcoming AMEP contracts are not workable or effective.¹¹

Table 1 lists these KPIs. The final column summarises ACTA’s comment on them, followed by a short explanation.

TABLE 1

| KPI Number | KPI Outcome | Measure | Frequency | ACTA Summary Comment |
|------------|--------------------------|--|-----------|--|
| KPI 1 | Participation | 90% of eligible clients who complete an Initial Assessment actually commence in the Program within six (6) months (excluding deferrals). | 6 monthly | Inappropriate, unworkable, unfair, open to gaming & promotes inefficiencies. |
| KPI 2 | Learning Outcomes | 80% of Certificate Level Clients achieved a learning outcome* in a Semester. 65% of Course level Clients achieved a learning outcome* in a Semester ¹² *Learning outcome = Completion of unit of competency against any of the skills of the EAL Framework, e.g. learning skills, language skills, digital skills or numeracy; or specific settlement skills. | 6 monthly | Unworkable, unfair, counter-productive to English learning, grossly inaccurate, and perversely incentivises gaming & inefficiencies. |
| KPI 3 | Pathway Guidance | 90% of Clients have a MAP in place within four (4) weeks of Commencement in the AMEP 90% of Clients have a MAP updated regularly, in accordance with the SPIs [= Service Provider Instructions]. | 6 monthly | Workable & efficient in its own right. But the requirements are duplicated in a misdirected curriculum unit. |
| KPI 4 | Data timeliness | 90% of data relating to services and payments is submitted within the required timeframes, in accordance with the SPIs | 6 monthly | Assumes functioning & efficient IT systems. To date, never measured because not supported by IT capacity. |
| KPI 5 | Service Quality | Contractor meets 90% of audit requirements against the AMEP Standards (Appendix 9 to the RFT COT) ¹³ | Annually | Currently, not fit-for-purpose or value for money: time-wasting & focussed on trivia. |

¹¹ Department of Home Affairs RFT HOMEAFFAIRS/2165/RFT Attachment A – Statement of Requirement, section 4.20, p. 59ff.

¹² The lower threshold acknowledges that Clients at these levels may take longer to achieve learning outcomes.

¹³ This document was not provided with the original RTF and we are unable to locate it in the public domain.

RE KPI - PARTICIPATION

KPI 1 is determined by factors that are beyond providers' control:

Client factors:

Eligible clients fail to commence because they gain employment, are ill, are suffering the effects of trauma and torture, have conflicting family demands or relocate to another area.

These issues are common in low-income areas and with high numbers of newly arriving humanitarian intakes. The KPI penalises providers in these areas.

Eligible clients commonly fail to seek deferrals – their priorities do not include assisting providers to meet their KPIs.

Immigration intakes:

Demand for the AMEP fluctuates widely according to migrant and humanitarian intakes, over which providers have no control. They may be unable to meet unanticipated demand within the KPI time frame, because they lack classrooms and/or qualified teaching staff.

It is therefore impossible to determine **providers' influence on client participation accurately or fairly**.

KPI 1 is inefficient because it perversely incentivises:

- providers to encourage clients to start classes when they are not ready and so they drop out soon afterwards
- settlement services to bring newly arriving migrants and refugees for Initial Assessments when they are not ready to begin classes.

KPI 1 is unworkable and ineffective.

Providers have repeatedly reported to ACTA that they rarely, if ever, achieve KPI 1.

RE KPI 2 - LEARNING OUTCOMES

KPI 2 is impossible to measure consistently.

Centres have continuous enrolment to encourage commencements. KPI 2 measures students' performance **equally at semester end**, no matter when they started class (i.e. they may have attended class regularly for a full semester or only in the last few weeks or not attended regularly).

KPI 2 does not measure actual English learning gains in the AMEP

The measure is based on students achieving Units of Competence.

But:

- rigid right/wrong assessments cause students to fail for trivial reasons and do not reflect what students know
- specified (nominal) teaching hours are too short to allow students with minimal/no literacy to pass¹⁴
- assessments at higher Certificate levels are pitched too high for the stated English level
- students commonly stay home on assessment days.

In other words, what students have actually learned bears little relation to the KPI measure.

¹⁴ To gain a Certificate in reasonable time, students must take several Units of Competence in a term.

KPI 2 is open to pressuring teachers to act unprofessionally.¹⁵

This issue is described in Submission 1 to the Parliamentary Inquiry:

Teachers were ... encouraged to “pass” the student and “assist” them in the assessment in order to move them up the scale ... simply to achieve KPIs, even though the student was not yet competent. The result was that sometimes students were elevated to the next level which was far too difficult for them. ... It is ... demoralising and frustrating for students if they are placed in a level that is far too high. It is also hard for the teacher and unfair on the rest of the class.

KPI 2 discourages the tuition necessary to achieve genuine learning gains.

KPI 2 discourages the revision and practice necessary to consolidate learning. It incentivises teacher to get their students through tests and pushing them into higher level classes before they are ready (see teacher quote above).

KPI 3 – PATHWAY GUIDANCE

KPI 3 requirements are duplicated in the curriculum

The MAP duplicates the compulsory Unit VU23500 “Plan language learning with support”.

The requirements in this Unit are totally unsuitable for assessment.¹⁶ It should be eliminated.

KPI 4 – DATA TIMELINESS

KPI 4 has so far proved unworkable and unfair.

To date KPI 4 has never been applied because it depends on a functioning data management system.

It is unfair to assess provider performance in submitting data within timeframes and using a system that is beset by problems using the data management system developed by the Department.

KPI 5 – SERVICE QUALITY

KPI 5 has proved unrelated to genuine quality performance in the past.

Auditors are paid to find fault, so they do, no matter how trivial.

This problem would be solved by Standards-based QA (see above p. 3).

¹⁵ Note that most AMEP teachers are employed on short-term contracts or casually.

¹⁶ https://www.vic.gov.au/sites/default/files/2023-10/22636VIC-22646VIC_EAL-Framework.pdf, p. 124. For many AMEP students, especially those with little/no previous education or literacy, assessing their performance in developing a language learning plan is misplaced, unfair and disrespectful for cultural and educational reasons that should be obvious to anyone.