SUBMISSION

**Response to the Consultation Paper:
A review of training for licensed occupations in the New South Wales property services industry**

February 2016
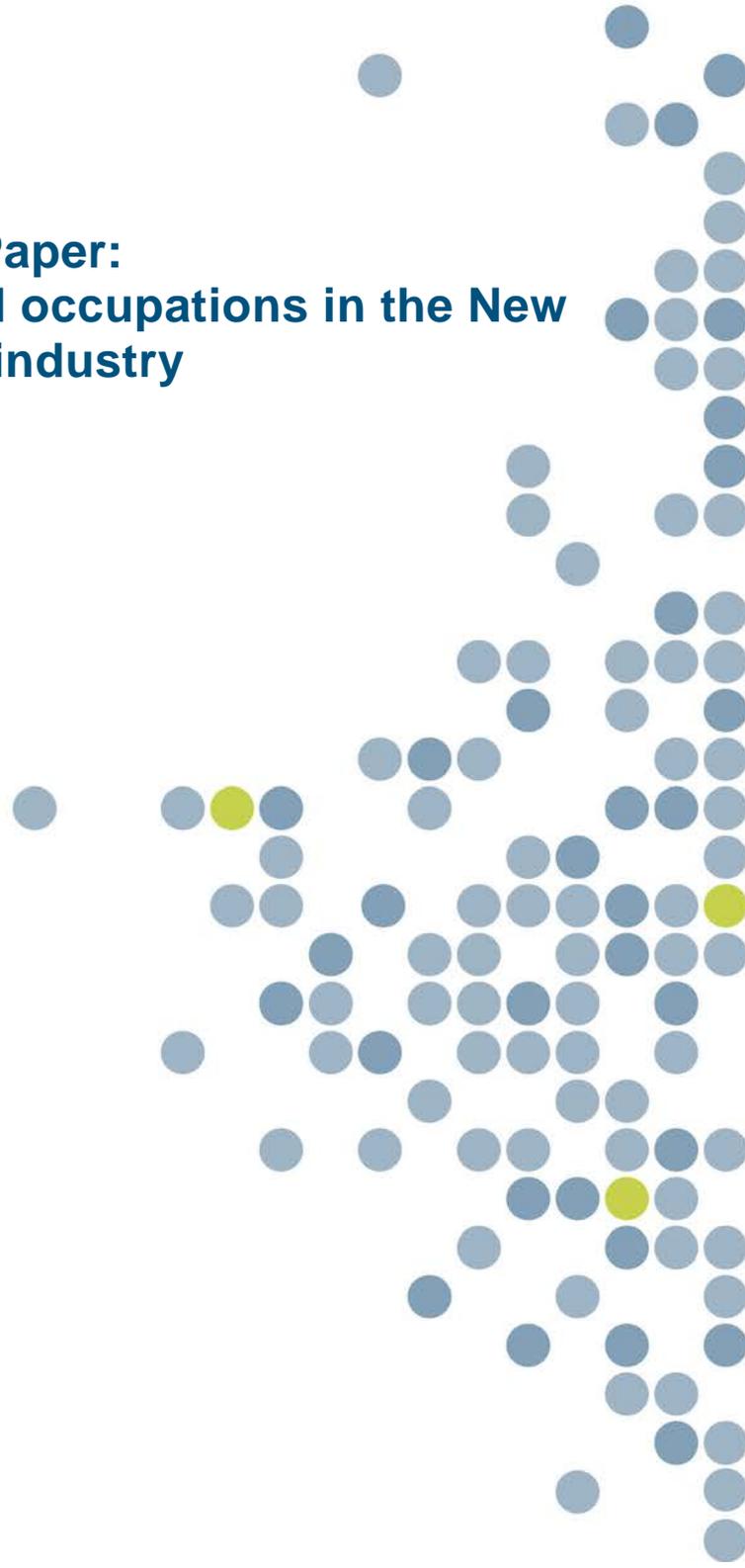
Overview

ASQA is the national regulator for the vocational education and training (VET) sector. It is the regulatory body for registered training organisations (RTOs) in:

- the Australian Capital Territory
- New South Wales
- the Northern Territory
- South Australia
- Queensland, or
- Tasmania.

ASQA is also the regulatory body for those RTOs in Victoria and Western Australia that:

- offer courses to overseas students studying in Australia; and/or
- offer courses (including online) to students in any of the following jurisdictions:
  - Australian Capital Territory
  - New South Wales
  - Northern Territory
  - South Australia
  - Queensland
  - Tasmania.

As at 13 January 2016, ASQA regulated the following number of RTOs with the identified products as relevant to this review:

Products	Nationally registered RTOs	RTOs registered with head office in NSW	Notes
CPP40307	80	55	RTOs with these qualifications on scope can deliver any unit implicitly listed within the qualifications as stand-alone units or as Skill sets.
CPP40407	6	6	
CPP40507	6	6	
CPPDSM3016A	4	4	RTOs who have chosen to explicitly list these units of competency on their scope of registration
CPPDSM3017A	1	1	
CPPDSM3019B	43	42	
CPPDSM4007A	13	8	
CPPDSM4008A	13	8	

CPPDSM4079A	0	0	
CPPDSM4080A	13	8	
CPPDSM4081A	0	0	

- Registration with ASQA allows an RTO to deliver and assess nationally. An RTO that does not have a head office in New South Wales is not restricted from delivering in New South Wales.
- There are 55 unique RTOs who have a head office in New South Wales.
- Since July 2011 ASQA has conducted 108 audit activities on 42 of those RTOs.
- Out of the 108 audits,:
    o five resulted in notices of intent to suspend the RTO's registration. These were as a result of non-compliant resources and assessment tools within the property services products in the audit scope.
    o However, on four occasions the non-compliances were addressed within the 20 days provision for rectification.
    o only one decision was appealed by the RTO at the Administrative Appeals Tribunal (AAT). Upon review of further evidence received from the RTO, the AAT ordered that the RTO's registration not be cancelled.

ASQA's learnings over the years indicate that the following key issues should be considered:

- inconsistent licensing requirements across states and territories;
- lack of specification in the training package; and
- inadequate content in qualifications.

Though the *Mutual Recognition Act 1992* allows people holding a licence in one jurisdiction to obtain a licence in another jurisdiction, if equivalent work is licensed in both jurisdictions, and the qualifications and units of competency recognised for licensing purposes are national, the regulation of licensing is state and territory based. This makes it more difficult to ensure consistency and alignment between qualifications and licensing requirements. Until the inconsistent licensing arrangements are resolved, people will continue to cross borders to attain licences in jurisdictions with fewer requirements, driving distortions in where training is occurring compared to where the jobs are and potentially compromising quality.

While the following issues have been found to be systemic across the VET sector, it is highly recommended that these be considered to inform any decisions being made for strengthening the relevant training package to ensure content and structure meet industry and licensing requirements.

- Lack of clarity in the training package poses a fundamental challenge to ensuring high-quality licensed personnel who are equipped to carry out their duties as industry expects as it does not allow people to gain the required skills and competencies.
- Prevalence of extremely short training courses does not allow sufficient time for the development and assessment of skills and knowledge.

- Inaccurate and poor assessment strategies; trainers and assessors not holding the necessary training and assessment competencies and not being able to demonstrate currency in industry experience; assessment conducted in a simulated work environment which does not sufficiently replicate the resources, environment, time and productivity pressures that exist in the actual workplace and inadequate levels of language, literacy and numeracy skills of learners who undertake these qualifications.

It is further recommended that the licensing authorities play a key role in the review of the training package.

Education requirements and entry standards for the licensed property services industry

Applying the model

1.1 Are there additional risks that should be included in an assessment of training standards? (p 15)

This is outside ASQA's jurisdiction. This response will be best elicited from employers, practitioners and other industry stakeholders.

1.2 Are there other issues that should be considered in assessing training standards? If so what are they? (p 15)

The Australian Qualifications Framework (AQF) – in particular the AQF levels should be given consideration. Though this guidance is generally utilised when developing qualifications, this should be considered to ensure the appropriate level of qualification is identified to align to the licence category (the occupational tasks required to be undertaken by the licence holder).

1.3 What do you think should be the minimum educational standard for each category and why? (p 15)

This is outside ASQA's jurisdiction. This response will be best elicited from employers, practitioners and industry stakeholders.

Experience

2.1 Although it is clearly possible to enter the property services industry without any experience, how often does this occur? (p 16)

This is outside ASQA's jurisdiction. This response will be best elicited from employers, practitioners and industry stakeholders.

2.2 What are the practical consequences of the absence of a time based requirement to enter the property services industry? (p 16)

Even though this is outside ASQA's jurisdiction, the panel may wish to consider the following options in addressing this issue:

- incorporate a work placement or mandatory practical requirement in the qualification;
- issue a restricted (interim/provisional) licence, as deemed appropriate, and upon completion of the time based requirement issue an unrestricted (full/open) licence.

2.3 What does time based experience achieve? (p 16)

Time based experience allows a candidate to implement the skills and knowledge attained during the training in a real live work environment and to early on identify and remedy any gaps in understanding or practice.

It also ensures the entrant practitioners are more confident in their conduct as they have had exposure to the live work environment.

Ongoing training requirements for the property services Industry

Whose responsibility is CPD?

3.1 What needs do the current CPD requirements meet? (p 19)

This is outside ASQA's jurisdiction. This response will be best elicited from the Industry regulator, employers, practitioners and industry stakeholders.

3.2   What are benefits of CPD and what are the costs to business? (p 19)

This is outside ASQA's jurisdiction. This response will be best elicited from the Industry regulator, employers, practitioners and industry stakeholders.

3.3   What are the problems or issues with the existing CPD regime in NSW? (p 19)

This is outside ASQA's jurisdiction. This response will be best elicited from the Industry regulator, employers, practitioners and industry stakeholders.

3.4   Are the current requirements relevant? (p 19)

This is outside ASQA's jurisdiction. This response will be best elicited from the Industry regulator, employers, practitioners and industry stakeholders.

How and by whom initial and ongoing training should be provided and how and by whom initial and ongoing competency should be assessed

What options can the review panel consider?

4.1 What are the current problems with the delivery and assessment of training for the property services industry? (p 21)

Though ASQA has not conducted a focused audit in this industry sector, the following general audit findings may give the panel points to consider:

- Delivery timeframes are not consistent amongst RTOs with similar cohorts of learners
- Training regarding the legislative requirements as per the unit of competency causes issues during mutual recognition
- Training resources are inconsistent across RTOs. It is alleged that RTOs find it difficult to have access to resources such as auctions and conveyancing, as required in the unit of competency.
- Insufficient training in the practical components of the unit of competency such as auctioneering
- Assessment tools do not meet the entire unit of competency requirements
- Poor assessment practices not complying with the principles of assessment and rules of evidence
- The differences in the licensing requirements between jurisdictions often impact on the training delivered - and in particular on recognition of prior learning (RPL)
- Assessors not maintaining industry currency.

ASQA has recently completed the review of most provider's websites (except schools) to identify systemic concerns in particular short course duration, inappropriate training delivery modes and inaccurate marketing. This report is anticipated to be released in 2016. It is recommended that the panel considers the findings in this report to better inform this review regarding the quality of providers in this sector.

4.2 What problems have arisen and what are the impacts on the industry?

This is outside ASQA's jurisdiction. This response will be best elicited from the industry regulator, employers, practitioners and industry stakeholders.

4.3 What changes should be made to the delivery and assessment of training for the property services industry?

ASQA would highly recommend strengthening the units of competency requirements by:

- defining of activities to guide RTOs in developing appropriate training and assessment strategies including adequate amount of training;
- strengthening the Range Statement and Context of Assessment with clear conditions and resources aligned to current industry requirements to ensure graduates are meeting industry expectations;

- articulating clear assessment requirements to ensure sufficient collection of evidence to determine competency; and
- providing further and clear guidance to trainers and assessors on the requirements.

Mutual recognition for the auctioning of property and livestock

Mutual Recognition of licensed occupations

5.1 What are the key issues in relation to cross border sales of rural property and livestock?

This is outside ASQA's jurisdiction. This response will be best elicited from the industry regulator, employers, Practitioners and Industry stakeholders.

5.2   What are the current barriers to achieving mutual recognition?

This is outside ASQA's jurisdiction. This response will be best elicited from the Industry Regulator, Employers, practitioners and industry stakeholders.

5.3   How might we improve mutual recognition for auctioning of property and livestock?

This is outside ASQA's jurisdiction. This response will be best elicited from the Industry Regulator, Employers, practitioners and industry stakeholders.