

National VET Regulation & the TERTIARY SECTOR

Pat Forward

In 2008, the Federal Government accepted a key recommendation of the Bradley Review into Higher Education to establish a single national regulatory body for all of tertiary education and training. The Bradley Review proposed various initiatives to create a broader and integrated tertiary education and training sector, covering Higher Education and Vocational Education and Training.

The Australian Education Union strongly supports effective regulation of the VET sector given the activities of unscrupulous private providers in both the domestic and international VET sectors. The AEU supports national regulation where it provides a mechanism for increasing quality teaching and learning in VET across Australia.

Rather than establish a single national tertiary sector regulator in one stage, the Federal Government has established two national regulatory bodies (one for each existing sector) whilst continuing to argue that these would come

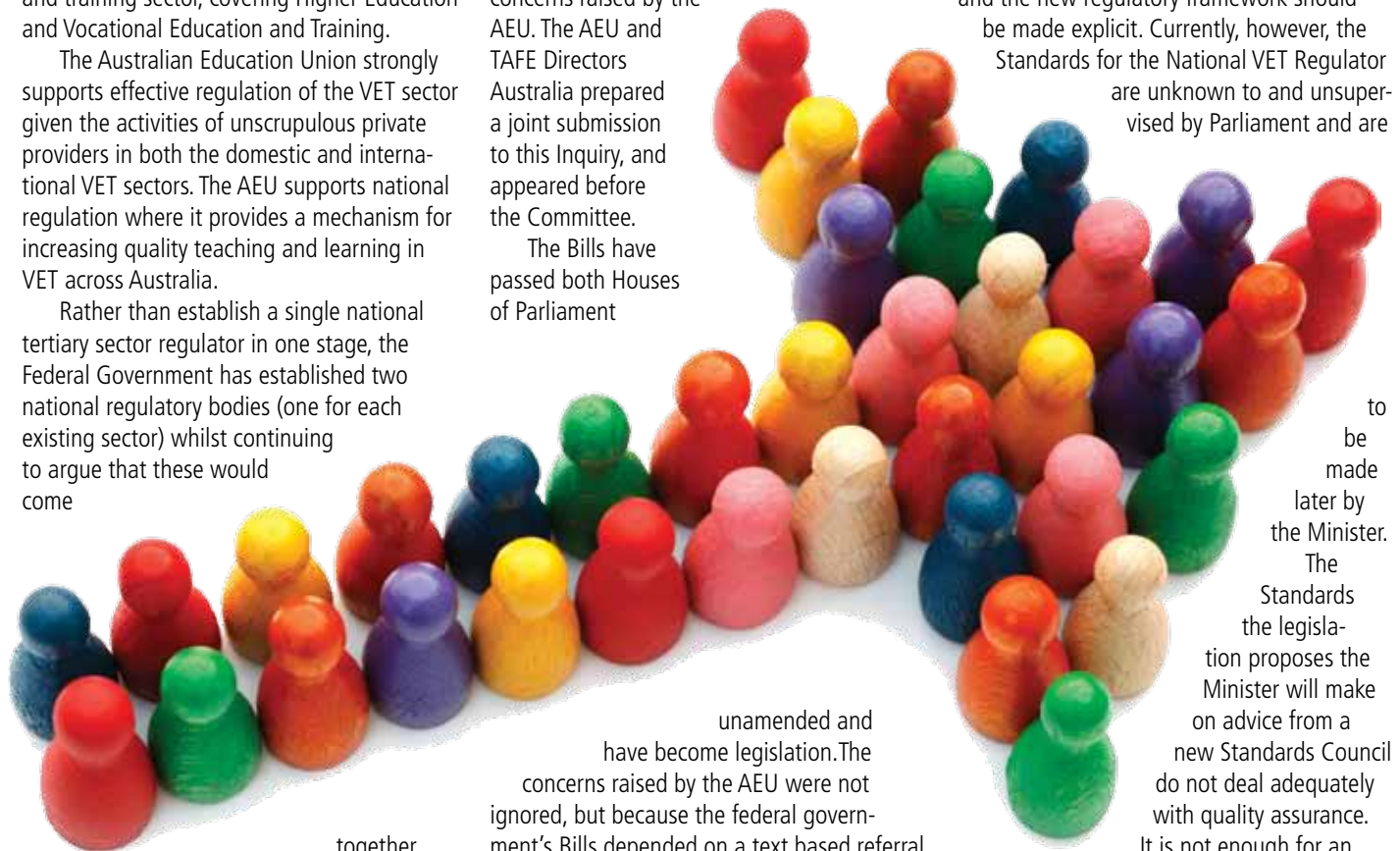
sector in Australia is an important public policy concern, and its effective operation should be the central concern of the proposed legislation as the sector impacts on the lives of its more than 1.7 million students.

A Senate Committee established an Inquiry into the various National VET Regulator Bills in part in response to the concerns raised by the AEU. The AEU and TAFE Directors Australia prepared a joint submission to this Inquiry, and appeared before the Committee.

The Bills have passed both Houses of Parliament

question of the standards for the registration and auditing of VET organisations.

The legislation fails to mention the Australian Quality Training Framework which provides the current regulatory framework for RTOs. Undoubtedly, the AQTF is to be part of the Standards for National VET Regulator RTOs, but the relationship between them and the new regulatory framework should be made explicit. Currently, however, the Standards for the National VET Regulator are unknown to and unsupervised by Parliament and are



together as one in the future. These are the Tertiary Education Quality and Standards Agency (TEQSA) and the National VET Regulator (NVR). The AEU acknowledges the practical and logistical task of establishing a single national regulator for both sectors and is not critical of the government for moving in a two-staged way.

The AEU has raised its concerns with the government about the content of the National VET Regulator Bill and the haste with which the Government has proceeded. This haste prevented adequate consultation with stakeholders. The vocational education

unamended and have become legislation. The concerns raised by the AEU were not ignored, but because the federal government's Bills depended on a text based referral of VET matters from the outgoing NSW Labor government, any amendments to the NVR Bills would have defeated the referral from NSW and so the Bills would have been unconstitutional. Instead the government agreed to a more thorough-going consultative process with key stakeholders in the sector over the next few months and has committed to addressing many of the concerns raised by the AEU. This process is now underway.

Standards

The AEU's greatest concern goes to the

to be made later by the Minister. The Standards the legislation proposes the Minister will make on advice from a new Standards Council do not deal adequately with quality assurance. It is not enough for an RTO to simply be a fit and proper person, financially viable, provide data and otherwise co-operate with the NVR. The Standards should ensure:

- That Providers have as a primary or significant purpose, the education and training of students
- That Providers are required to act in the best interests of their students rather than the best interest of shareholders or the company or the purchaser of the training per se
- That Providers are subject to prudential regulatory control so their programs are