



Australian Education Union

Submission

to the

**Reform of the Adult Migrant English
Program - Discussion Paper**

14 July 2021

Correna Haythorpe
Federal President

Susan Hopgood
Federal Secretary

Australian Education Union
Ground Floor, 120 Clarendon Street
Southbank Vic 3006
PO Box 1158
South Melbourne Vic 3205

Telephone: +61 (0)3 9693 1800
Facsimile: +61 (0)3 9693 1805
Web: www.aeufederal.org.au
E-mail: aeu@aeufederal.org.au

Introduction

The Australian Education Union (AEU) represents over 194,000 educator members employed in the public primary, secondary, early childhood and TAFE sectors throughout Australia.

This submission answers all the questions set out in the Department of Home Affairs' discussion paper to the proposed AMEP reforms. It is informed by feedback and consultation with AEU members working in AMEP in TAFEs across the country

The AEU welcomes the decisions taken by the department to:

- remove the 510 hour limit on classes, to provide unlimited hours of tuition, in recognition that individuals learn at different rates and 510 hours of tuition is not usually adequate for students to attain a vocational level of English;
- allow people to continue with the program until they reach vocational English, to better facilitate settlement into the community, entry into further education and employment; and
- remove the time limits on the registration, commencement and completion of tuition for clients who were in Australia on or before 1 October 2020, enabling those who did not engage with the AMEP earlier to access the AMEP.

However, the AEU has serious concerns about the outcomes based payment model.

1. Is an outcome payment on attainment of a qualification the most effective way to incentivise student outcomes?

The most effective way to incentivise student outcomes is to provide proper funding upfront for TAFEs to plan appropriately for small class sizes, with qualified teachers that are resourced for the entirety of the work they do.

Students will not be incentivised or even interested in the way that a provider is funded. Indeed an approach that is outcome reliant and does not put the learning needs of the student first is likely to have the opposite effect and discourage students.

In AEU feedback sessions members immediately drew negative comparisons with the VET Fee Help Scheme, widely acknowledged as one of Australia's greatest policy scandals¹ and the NSW Smart and Skilled programme which has only served to waste public money while increasing compliance and lowering student enrolments. This payment model is based on the same flawed logic that facilitates providers ability to rot the payment model while delivering little education. It will further degrade the VET system at a time when a strong VET system is vital for Australia's long-term recovery from the impact of the pandemic. Moreover, it will subject the respected AMEP to a race to the bottom. With a majority of money (67% of funding) delayed to the completion of the course, and contingent on circumstances beyond the provider's control, providers will have no choice but to cut back costs due to the unpredictability of funding being recouped.

¹ Pardy, J. Dr, *Rebalancing Australia's Education System*, The TAFE Teacher, Spring 2019 p18

The outcome based payment model fails on every metric that it proposes to address – making the program less accessible, creating lower quality outcomes and diminishing participation.

Less accessible

Putting the emphasis on outcomes makes it more likely that the system will be gamed by less reputable organisations that will look to selectively target the most educationally prepared students who speak languages that are closer to English and/or are more likely to pass. These providers will then be disproportionately rewarded for this skilful gaming of the system.

This will significantly disadvantage students who may take longer to reach the outcomes. It should be recognised that many humanitarian entrants are not literate or numerate in their own language and can take a long time to complete. They may be excluded from classes or pushed into conversation classes instead, giving them less access to the extra learning support they need.

Lower quality outcomes

Outcome based models promote teaching to assessment and increase the temptation for less scrupulous providers to ‘tick and flick’ as teachers come under pressure to assess and pass students under the threat of job losses.

The discussion paper states on page seven that *‘in input-based models, the onus is on clients to adapt to the program, which can result in disengagement, low retention and poorer outcomes, especially for those who need more flexible tuition times or require a more gradual pace of learning’* This is a fundamental misunderstanding of the work of a teacher. Teachers will plan and program to meet individual need, look at participation and engagement and use their pedagogical/andragogic knowledge and skill to change programs to meet needs, change pace or reinforce/revise and re-engage students that are struggling. Providers that receive funding based on outcomes will not take the time to expand learning or cater for difference, instead, they will narrow the learning and steer non-achievers away to the community level of learning, so as to meet funding targets and increase profits.

This model relegates teaching and learning by narrowing the curriculum to only what will be graded to achieve the financial reward. The aim of AMEP is the settlement of a diverse group of migrants – each with differing needs and goals – into Australian society. Teaching to assessment will inevitably result in valuable conversations and lessons about socialisation being discouraged over any activity that is not directly related to assessment. Migrants may leave courses with certificates but not having dismantled the language barrier in order to participate in society and leverage their existing skills for the prosperity of our nation. Once employers discern the failings of the system to provide quality outcomes it will result in a lack of credibility for the certificates and a lack of respect for AMEP in the wider community.

Diminish participation

Participation is increased through the full engagement of students which necessitates the full attention of the teacher. A system whereby a teacher has to spend time logging the actual time of the student in class rather than teaching does not increase participation.

Tying funding to outcomes also degrades the professional relationship of trust and respect between the teacher and the student. If providers have a vested financial interest in the progress of the student the integrity of this relationship is undermined. The ‘presentism’ aspect of funding for attendance risks adult migrants feeling like they are being patronised and treated like children. Much of working with migrants is about building compassionate relationships of trust, investing in compassionate, humanitarian student-centric relationships is more effective to achieving strong outcomes.

Output vs input

The outcomes based payment model also assumes a direct correlation between output and input, thus the cost of a student’s success is directly proportional the cost of the labour and overheads provided by the TAFE. This is too simplistic. A teacher may plan a class for 25 students, each with different languages and learning needs. If the student fails to turn up for class no less work has been undertaken by the teacher, in fact, further work needs to be done to chase up the student and perhaps assist them to catch up. Only paying for the successful completion of the unit fails to recognise this invisible work and value the professional input of the teacher.

The issues faced by students that may prevent them from attending are beyond the control of the TAFE and should have no bearing on the amount of payment.

The outcome payment includes a 13 percent increase for provision of ancillary services, such as childcare, and activities to support students which can be viewed as removing barriers to participation in programs. However, the shift from payment per hour of tuition to payment per competency, that is reallocating payments to the output side of the education service delivery equation, puts at risk the working conditions of AMEP educators. The risk is an increase in precarious employment and the potential for educators to perform invisible labour and unpaid work. In aviation, pilots are paid for the professional work they perform, regardless of the number of passengers. In hospitality, chefs are paid for their rostered hours, regardless of the number of diners. AMEP educators and their employing AMEP provider, should be paid for the expertise and professionalism of the educator and cover the full cost of education.

Purpose

A better question to ask would be - what is the purpose of AMEP? And what outcomes should funding be informed by?

The purpose of AMEP is to provide education that increases the settlement of migrants and their participation in Australian society, it, has the potential to develop highly literate, numerate, actively engaged, resilient and connected members of the wider community. It can unlock the potential and knowledge already possessed by highly-skilled migrants, it shouldn’t simply push people into any entry level job in the workforce.

AMEP must be viewed as an investment in the social good, as opposed to an opportunity for private sector profiteering. Drawing on recent examples of failures in the VET sector, the AEU expresses grave concerns for AMEP should the Australian Government adopt an outcomes based model. A model that adopts an outcome payment fundamentally alters AMEP. Shifting the focus of AMEP from a social good to the pursuit of profit risks unscrupulous behaviour of private providers who are motivated by profit, and risks diminishing standards and reducing curriculum. Programs shift from quality teaching and learning in authentic learner-centred curriculum towards assessment. The role of the adult migrant student shifts from a community member participating in education to better their life their families' lives, into a consumer of a public service and whose education becomes a shareholder dividend.

Outcome based funding is chosen for political reasons. It is a free market approach sold as a solution to improving the system by making the spending of public money more accountable and yet it achieves the opposite. Funding models that are based on outcomes achieve a narrowing of the curriculum and a push for compliance that can prevent students from achieving their goals.

It is another insidious method to undermine the public VET sector. Punishing institutions with (apparently) lower performing students by decreasing their funding, which only makes it harder for the institution to boost its performance, and gives the impression that the institution is less appealing to future students.

2. Is there anything other than prior education levels that can be measured (informed by collected data, which should be considered for a cohort adjustment on outcome payments?

Humanitarian entrants will be contending with the psychological impact of torture and trauma which has a profound impact on the ability to engage with education. The AEU advocates for humanitarian entrants to immediately be considered for a cohort adjustment given the extra challenges they face.

The discussion paper acknowledges that AMEP students now speak languages that are linguistically further from Australian; Arabic, Chinese, Mandarin Burmese and Karen which make it harder to communicate. This has particular ramifications for the enrolment interview process. Our members have reported that for each potential enrolment they are only paid for a 20 minute interview when in reality on average they can take an hour to conduct. At present that extra time is unpaid. The AEU advocates for a cohort adjustment to be considered for interviews that is proportionate to the time invested. Access to translation services are also necessary to enable students to get the best outcomes from these sessions.

One measure to support understanding of complexities of the work of AMEP educators is to ensure all AMEP providers have guaranteed access to health, allied health and educators who have qualifications to diagnose mental health conditions and learning difficulties.

3. Is the outcome payment the most suitable point to apply a cohort adjustment?

The AEU rejects the outcome payment model as a viable model for the efficient provision of the AMEP. Payment should be provided upfront to protect provider viability, teacher employment and to ensure additional support can be provided to those students who may need it.

TAFEs bear the significant cost of partial student attendance which are beyond their control to determine and unrelated to their performance. This model rejects all consideration of student motivations, financial hardship, the effects of trauma and family circumstances which all play a part in student success.

4. Does the relative split of payments outlined in the table above support provider cash flow?

The split of payments impedes provider cash flow. Withholding 67% of the payments until outcomes are met, which are beyond the control of the TAFE, makes it impossible for TAFEs to effectively budget for staff and overheads.

There is a risk this model will result in cost-cutting which will condemn the AMEP workforce to precarious forms of employment. The financial risks will inevitably shift onto the workforce as temporary contracts become an attractive solution to the cash flow uncertainty.

Inevitably, some students will not meet the outcome criteria and may need to retake the course, perhaps several times. The financial burden is then transferred to the TAFE to continue to support the student for free, which is untenable.

5. Are there any further considerations with splitting payments under the outcomes-based model as per the table above?

The AEU rejects the premise of the outcomes based payment model. No splitting arrangements can overcome the flawed assumptions that have delivered this model. It is a model that fails migrants, fails providers, fails education, and fails educators.

6. What features and functions would you like to see in the new IMS?

A new IMS should not be an unnecessary, micro-managerial admin burden for teaching staff that detracts from teaching or duplicates work.

The AEU would like to see the capacity for employees to view their working conditions, namely rate of remuneration, spread of hours and access to permanent employment. Employees should be able to log concerns regarding their working conditions, workplace safety, and student wellbeing.

7. What risks may be experienced in transitioning to a new system?

Any new system should be built on ethical principles that centre on the privacy of students to ensure the data is used for its intended purpose and not used for any far-reaching purposes. Students must retain the right to access their own data if they chose to do so.

Professional training and clear documentation for all staff that interact with the system is vital to prevent the risk of employee frustration and stress.

8. What tuition options should be implemented in the future AMEP business model to support flexible learning?

The AEU strongly supports the comment in the discussion paper that states that face to face learning is beneficial – in fact, it is essential. Integrating into a new society requires direct socialisation with others. It is one of the great strengths of the AMEP program that students are empowered to build networks and social cohesion, helping them integrate into the community while overcoming language barriers.

Flexible learning should not automatically be assumed to be digital learning. Flexible learning is student-centric and can include providing extra remedial support to students who take longer to complete the class. Digital learning is one means of improving access to students who are not able to attend in person. It should be considered an equity measure, but not an alternative.

While there is value in participants in Australian communities having digital literacy skills, these should be in addition to adult migrant English. Digital literacy involves building a vocabulary of icons and infographics, and developing competency in the grammar of following hyperlinks and file paths as a nuanced method of meaning making. English language requires the acquisition of a different vocabulary, grammar, syntax, and pronunciation.

However, as highlighted in a recent AEU independent report into digital inclusion undertaken at the start of the pandemic, there is a ‘digital divide’ between people on low incomes and broader Australian society. ‘Low family income is associated with many factors that make studying at home more difficult. These include a lack of internet access and a lack of appropriate software and hardware...overcrowded or insecure housing without a regular place to carry out work undisturbed, and the psychological stresses on family members arising out of financial stress and a lack of resources.’²

Not all students will have a phone or a home computer. Providing free iPads or laptops to students upon enrolment would facilitate learning, the acquisition of digital skills and settlement skills.

² Preston. B *Digital inclusion for all public school students*, AEU 2020.

9. Should Distance Learning continue in its current form or should all service providers be required to deliver tuition flexibly to meet the needs of Distance Learning clients?

TAFEs are running successful distance learning to support learning in remote locations with teachers who have specific expertise in teaching via distance. These geographic reasons are unlikely to change, so the AEU is concerned to note in the discussion paper that *‘the department expect the number of clients accessing distance learning will decrease with the introduction of flexible delivery.’* The AEU is opposed to flexible delivery that cuts students’ access to distance learning.

It is important to remember that teaching via distance or online involves a different pedagogical set of skills and it is not just simply a matter of transferring the same class to a digital platform.

The AEU recognises that technology can support the teacher-student relationship, but that the fundamental human interaction cannot be undermined or usurped by reliance on technology. Any education system that lays claim to delivering quality outcomes must be founded on respect for the human interaction between educators and their students. Indeed, this human relationship is irreplaceable.

10. What additional factors should the Department consider to ensure that the needs of clients who are learning remotely are met?

The Discussion Paper includes key reform components on page six, which identify five measures of student support. Access to these supports needs to be available to students who are learning remotely.

Students learning remotely may not have other support networks. It is essential that the invisible work of teachers in supporting vulnerable students is taken into account. Teachers do not only teach curriculum, but they respond to learners needs in terms of psychological and counselling support. Students need to be safe, need to be able to access healthcare, and need to be able to access support to navigate government agencies including Home Affairs and Centrelink. It is often teachers that assist with this support and at present this goodwill is not being recognised.

Access to free childcare is also essential for this cohort.

11. Should the community-based learning solely focus on conversational English? Why or why not?

Conversational English is important for an adult migrant to be able to participate in their community, however community-based learning should be more than conversational English. Community-based English should be underpinned by a commitment to value the knowledge and talents of adult migrants. Community-based learning requires appropriately qualified educators to be able to facilitate interactions that open connections and unlock the potential and knowledge already possessed by highly-skilled migrants.

Students should not be steered towards a lower level of English learning for the sake of providers attracting funding in outcome based models. There is a risk of stigmatisation of this learning and it will hold back those struggling to look for work by denying them access to the language they need to attain their goals. It risks reducing education to simple activities which will not allow students to leverage their prior learning and competence. Members expressed concerns that women/mothers could be most at risk at being pushed into conversation classes. They shoulder the majority of caring responsibilities and this can often impact on their ability to attain qualifications or successful assessment outcomes.

A qualified teacher is best to lead an appropriate learner-centred curriculum that encompasses the goals of the students.

12. Should non-accredited curriculum be used to deliver the community-based learning stream? Why or why not?

Community-based learning should recognise that English language can be learnt in formal education and training settings, as well as seen, heard and rehearsed in the wider community. Participation in the wider community has the potential to include a range of encounters, both positive and negative, which is why a formal and accredited curriculum, delivered by and assessed by appropriately qualified AMEP educators, is essential.

13. What is best practice in determining local labour market needs and developing links with employers?

Members expressed concerns about the real intent behind this question and whether future funding will be linked to labour market needs. There are inherent difficulties in predicting future labour needs in an economically uncertain jobs market and it can take several years to develop strong links with future employers.

The paragraphs and bullet points under the heading ‘Work-based learning stream’ assume deficit thinking of adult migrants. Resume writing and job seeking skills can be valuable skills to teach, indeed they are often taught in junior secondary school. Such a myopic work-based curriculum can be blind to the knowledge and talents that adult migrants already possess, and the examples of work experience placements risk assigning migrants to low paid and precarious employment. The AEU believes that work-based learning must include curriculum that empowers adult migrants to understand Australian workplace laws and their rights as workers in this country.

14. What supports do AMEP teachers need to ensure a smooth transition to the national curriculum?

AMEP providers and educators need to have confidence that the delivery of the national curriculum will be a level playing field. Providers with a history of delivering high quality curriculum and achieving strong outcomes for students, should not be undermined by new, for-profit, private providers, entering the market.

15. What additional upskilling do AMEP teachers need to take full advantage of any online learning modes?

Members raised concerns by the assumption that “*There are also new advances in educational technology that offer opportunities for students and service providers to accelerate the process of language learning.*” Online learning is not a silver bullet. The AEU draws the department’s attention to a recent report by Education International “Teaching with Tech”³ that highlights the negative impacts of online delivery on teacher wellbeing due to workload intensification. It also sets out the risks of a lack of oversight by an educator on the impact of these tools. For migrants they often have unintended consequences due to subtle cultural differences in the English language.

The report concludes by emphasising the need for education to be ‘human first’ and indeed, social interaction is particularly valuable for migrants so they can form networks and feel part of the community. Thus more important than online resources is the need for AMEP to be delivered by appropriately qualified educators that put the needs of the student first.

16. What online learning resources or platforms would you recommend for the AMEP?

See above.

17. What is best practice in the provision of student counselling and pathway guidance?

Adult migrants who are enrolled in AMEP can present in classrooms with complex and undiagnosed learning difficulties, mental health conditions, and other health and wellbeing needs. AEU members employed as AMEP educators describe experiences of how these manifest in classrooms. One educator describes a student who had never been able to access an optometrist but, after the appropriately qualified educator recognised the difficulty with reading was related to the student’s vision rather than language acquisition, the student began wearing glasses and made excellent progress. Another educator, teaching near a hospital, describes classes in which adult learners hide beneath tables when medi-vac helicopters fly overhead.

The AEU supports the requirement for providers to broaden the support provided by counsellors to support wellbeing.

Counsellors must be appropriately qualified to recognise learning difficulties, trauma and mental health conditions. Counsellors must have an appropriate skillset to assist students to access support and not limit guidance to job seeking, but also addresses learning challenges.

³ Colclough, C. Dr, *Teaching with Tech: The Role of Education Unions in Shaping the Future*, Education International, 2020

The AEU expresses concern with the workforce supply of appropriately qualified counsellors in regional and remote parts of Australia and also notes that again, proper translation services may be required.

18. How many hours of pathway guidance does a student need on average?

There is no ‘one-size-fits-all’ answer to this question. Adult migrants who are enrolled in AMEP can present in classrooms with complex and undiagnosed learning difficulties, mental health conditions, and other health and wellbeing needs. In addition the pathway for each individual will vary based on their individual goals, their prior skills, knowledge, education and experience. Any methodology to calculate guidance hours needs to be founded on an understanding that every student has unique needs.

19. When should payment for pathway guidance be provided?

The appropriate employment type for qualified counsellors should be permanent. The work of counsellors who are employed to support AMEP students is complex, and a fee for service model is neither best practice nor appropriate. The AEU believes that the Department should consult with AMEP educators, their professional associations and unions, and determine a best practice student to counsellor ratio, and then allocation funds to ensure the availability of counsellors to all AMEP students, from the initial interview stage, regardless of the geographic location.

20. What is best practice in tutor training and support?

The AEU believes that AMEP is best delivered by appropriately qualified educators. Further, that best practice models of tutor training and support should be developed by the profession and for use in conjunction with the profession. Educators working with their professional associations and teacher unions should be afforded the opportunity to engage in collegial sharing of practice and development and maintenance of resources, with a specific focus on developing training, support and resources, which meet nuanced and localised needs.

21. Are there any other changes to the Volunteer Tutor Scheme the Department should consider?

An education system that is reliant on volunteers is not one that values a quality education for migrants and new arrivals. Quality education should be properly funded to meet needs, not look for cost savings by using volunteers.

The Volunteer Tutor Scheme needs to be replaced by programs that are run by appropriately qualified AMEP educators who are fairly remunerated in recognition for their work, skills, expertise and their respect in the communities. The AEU believes that reliance on volunteers minimises costs but exacerbates the problem of policy decision makers having a limited understanding of the invisible work of AMEP educators.

Minimising costs of AMEP also diminishes the benefits to individuals and their communities.

22. What do you think of childcare options 1 and 2?

All caregivers that need access to childcare should be able to access it for free. Childcare options 1 and 2 make childcare the provider's responsibility, however they do not take into account the real cost. Childcare providers do not charge by the hour. Instead they have set daily or part-day fees. These fees must be paid even if the student does not attend the class on their scheduled day.

Childcare must also be made available for students who are learning by distance to ensure they can fully engage with their classes.

23. What role can informal childcare arrangements, such as crèches and mums and bubs' classes, play?

Access to proper childcare should be available to all students, there should be no pressure for students to be required to use less formal settings or to find and resource their own childcare.

24. What outcomes should be the focus in measuring AMEP performance?

The informed judgment of a qualified teacher should be respected. It is possible that a student may not achieve a certain assessment outcome but may have made exceptional progress across a range of outcomes towards their settlement goals. A teacher can make sure the full range of factors influencing performance are considered and assess learning holistically in terms of settlement and student goals.

25. What does quality service delivery in AMEP look like?

Quality AMEP is fairly funded, in line with the actual costs of running the program, by government and delivered by appropriately qualified educators who have permanent employment. Educators understand the unique lived experiences of their adult migrant students, and educators can either access the resources needed to support learning or support the student to navigate agencies to meet the needs of the student and their family. It should be equally valued by students, educators, government and communities.

Quality AMEP recognises the importance of face-to-face delivery where teachers and students co-occupy the same space in real time.

Quality AMEP focuses on teaching and learning: that is educational inputs. The value of assessment is to drive future learning. Summative assessment practices allow for learning outcomes to be assessed as achieved or still developing. Formative assessment practices provide information to teachers during lessons so they can make necessary adjustments at the time to ensure better understanding, or facilitate better engagement. Assessment is not a tool to use in isolation.

Quality AMEP has effective governance that ensure public money that is allocated to education is not expended on recruitment, marketing, third party brokers, or shareholder dividends.

26. What mechanisms should the Department use to monitor quality service delivery and client outcomes by providers?

If the Australian Government proceeds down this path, an independent regulator will need to be engaged to ensure all providers are meeting their obligations to deliver quality teaching. Such monitoring must include, at a minimum:

- Evidence of compliance with the Australian Qualifications Framework
- Evidence of hours of service delivery per course
- Sources of income
- Evidence public money was expended on teaching and learning.

27. How should provider performance be reported?

The outcomes based model demands that provider performance be closely regulated to investigate matters including recruitment and marketing practices, allegations of corruption, rorting and financial mismanagement, falsification of reporting data, student complaints, employee complaints, and provider complaints.

The recent record of for-profit private providers in the VET sector is a cause for significant concern and the policy failures of the past look like they are to be repeated. Making the majority of funding tied to the completion of a unit or gaining a certificate will create accountability problems and again open the doors to unscrupulous private providers who will push students through an achievement of outcomes in the pursuance of funding but in reality, degrade skills and knowledge.

Yet again, mitigating the consequences inherent in the payment system will necessitate expensive and intrusive oversight with time consuming admin for compliance and detract funding and teacher time from achieving student outcomes.

Ultimately and ironically, public money that could be invested into education will now be spent on increased regulation of providers under the auspices of making sure that public money is not wasted.