

SECOND READING SPEECH – HON JEREMY ROCKLIFF MP

Tasmanian Qualifications Authority Amendment Bill 2015

Madam Speaker,

I move that the Bill now be read a second time.

The Tasmanian Qualifications Authority was established by the *Tasmanian Qualifications Authority Act 2003*. The Act established the Authority, known as the TQA, and the membership of the Authority along with the Chief Executive Officer position.

By way of background, at its establishment in 2003 the TQA had responsibilities in regard to senior secondary education, vocational education and training, and higher education. And the governance framework in the Act reflects these broad and important responsibilities.

The role of the TQA has changed over time and its functions have reduced as the education and training environment has evolved nationally. In 2011, two national bodies were established to regulate higher education and vocational education and training. The Tertiary Education Quality and Standards Agency (TEQSA) now regulates the higher education sector and the Australian Skills Quality Authority (ASQA) now regulates the vocational education and training sector in Australia.

Prior to this change, the TQA was responsible for registering training providers and accrediting courses for vocational education and training in Tasmania. This was a significant responsibility for the TQA as, for example, in 2011 just prior to the establishment of ASQA there were, at the peak, 116 registered training organisations registered with the TQA offering a wide range of qualifications from Certificate I to Advanced Diploma. In 2011 Tasmania referred its constitutional powers in regard to regulation of vocational education and training to the Commonwealth as part of the establishment of a national VET system and the creation of ASQA.

Similarly, prior to 2011 the TQA was responsible for registering higher education providers. This did not include the University of Tasmania as it is established under its own Act of the Tasmanian Parliament. In 2011 there were two non-self-accrediting higher education providers registered with the TQA providing higher education courses from Diploma to Masters degrees. In this case Tasmania did not refer its powers to the Commonwealth as part of the creation of a national regulatory system for higher education and, therefore, the TQA retains powers in regard to higher education. That is why the TQA Act still includes provisions relating to higher education. These residual powers provide a fall-back and would reactivate in the extremely unlikely event that national regulation of higher education ceased.

As a consequence of these changes, the TQA's responsibilities have now become almost exclusively focussed on senior secondary education although the governance framework has remain unchanged. Its core role includes advising the Minister for Education and Training on matters relating to qualifications, issuing consolidated statements of qualifications including the Tasmanian Certificate of Education (TCE), accrediting courses for senior secondary education, and managing the student examination and assessment process. It has an important role in reporting to government and the community about patterns of participation and attainment for students in years 11 and 12.

The TQA's responsibilities in regard to senior secondary matters cover students in government and non-government schools.

Although not a legislated function, the TQA has in recent years taken on responsibility for senior secondary curriculum development in Tasmania. In fact, currently there is no clear legislated responsibility for senior secondary curriculum development in Tasmania and the TQA has filled this gap.

I would like to take this opportunity to thank the TQA members and staff for all their hard work and dedication to education in this State.

The Bill currently before the House provides for the next evolution in this important area, and provides a model and governance structure that is focussed on the core role of senior secondary education while still enabling other responsibilities to be met.

This legislation is the product of a large amount of research into the models currently operating in other states and territories of Australia. This research and discussion with other jurisdictions has informed the development of the model. What became clear through this process is that across Australia, there is no one model for curriculum development, assessment and certification. All state and territories have individual approaches in this area. The critical issue is strong public accountability and I will come back to this later. I would like to place on record my appreciation for the assistance of Victoria and Western Australia in particular.

The model has been further informed by extensive consultation with all school sectors, principals across all sectors, business, the University, TasTAFE, unions, parent bodies, subject area groups, TCCI and current TQA staff and Authority members. I applaud the department on their approach to this consultation and their efforts to ensure the views of stakeholders have been addressed through this legislation. And I am pleased to say there is general support for the new model, including from the Catholic Education Office, Independent Schools Tasmania, TasTAFE, the University of Tasmania, the TCCI, the Australian Education Union, the Tasmanian Principals Association, TASSO and the Network of Education Associations of Tasmania.

While the catalyst for the development of a new model was the Government's election commitment to review boards and committees and the need to find budget savings, the best interests of students have been foremost in our minds. And at the same time ensuring, through this model, that educational standards in this State continue to improve and are equivalent to other states and territories.

In regard to the savings, as announced in the 2014-15 State budget the TQA budget has been reduced by \$350 000, rising to \$700 000 per annum for future years. The model that has been developed to support the statutory function realises the required savings while still providing the necessary resources to undertake the legislated responsibilities.

There are three key underlying principles to the creation of this legislation and they are independence of office, improved standards and openness and transparency.

As I take you through some of the key aspects of this legislation, Madam Speaker, these themes will recur and it will become evident how these principles are embedded in our approach to reforming this area of education.

In summary, the new model will provide for the development of senior secondary curriculum in Tasmania with cross sectoral, tertiary education and industry input. It will also establish a statutory office known as the office of Tasmanian Assessment, Standards and Certification (TASC). TASC will be the independent body responsible for accrediting senior secondary courses. The TQA has always received corporate support from the Department of Education for such matters as human resources and budget. The department will continue to provide such support to TASC in the same way as it currently does for the TQA. The department will also provide additional support to assist TASC with its data management responsibilities.

The legislation before you today will abolish the Authority and CEO position and replace them with TASC, which is constituted by a statutory officer known as the Executive Officer.

It will also strengthen the process for accreditation of senior secondary courses.

I will outline the key aspects of the legislation for honourable Members' information.

Curriculum development

In relation to the development of curriculum, this legislation will, for the first time in this State, make formal provision for a cross-sectoral approach to the development of senior secondary curriculum. Unlike education from Prep – 10, there is no nationally consistent approach to curriculum for senior secondary years. Each State is responsible for developing and implementing its own curriculum. Our extensive consultation with other states has ensured that the model in this legislation is as robust as the models in other states.

When I use the term 'curriculum' in this context and in the legislation this refers to the commonly understood definition of curriculum as an aggregate of the courses offered, or the 'framework' of the curriculum as it is sometimes referred to.

As Minister, I will set the priorities for senior secondary curriculum development in this State. I will be informed in that decision-making by educational experts and the end users.

The Secretary of the Department of Education will be responsible for advising me on those priorities and is compelled by the legislation to consult and work collaboratively with all schools sectors, and to consider the needs of the Tasmanian workforce and the needs of providers of vocational education and training and higher education.

The department will then develop the courses in collaboration with the non-government education sector. To support this approach a Curriculum Teacher Leader from each non-government sector has been seconded to the curriculum section of the department.

The format of this part of the legislation is very similar in structure to that of the Training and Workforce Development Act brought in by the previous Labor-Green government and the consultation and reporting lines and the priority setting work in a similar way.

I would like to touch briefly on how priorities might be developed. The priorities for senior secondary curriculum development will be established following consideration of local needs, national research, and stakeholder input. The Minister will not determine what courses are taught in schools. I do not want to pre-empt the work that will be undertaken to develop the priorities but they could, for example, include in the first instance the development of a curriculum framework. One might expect to see some key principles and learning area statements. I would also expect to see a continuing focus on literacy and numeracy skills, which are critical to equip young people for success in further education, training and career opportunities as well as enrichment of their social and personal lives. Importantly, a coherent framework will help promote continuity and articulation between years K-10 and years 11 and 12, thereby supporting retention.

This provides a truly exciting and dynamic environment which gives flexibility and diversity to our curriculum development. We will be able to respond to the needs of tertiary education providers and of business in a timely and relevant manner to develop curriculum that will support life-long learning more effectively.

The legislation provides for the Secretary to enable any number of highly flexible committees designed to offer specific, timely and expert advice on curriculum areas and needs. The collaborative nature of this model is reinforced by provisions such as this,

through which the Secretary will consult with the other educational sectors to determine what those committees need to be, and who will sit on them.

Our extensive consultation has shown a willingness, a desire, across all sectors of the educational spectrum to work together in a dynamic and flexible way to provide the most current, relevant and progressive curriculum to our students so that we can not only compete with the rest of the country but in fact, lead the way.

TASC

TASC is an independent office established by this Bill. It is constituted as I said earlier, by the Executive Officer, which is a position that will be filled by way of merit selection and be responsible to the Minister.

TASC is not subject to the control or direction of the Secretary of the department in regard to the performance or exercise of its functions and powers. Section 14 of the TQA Act remains and this section explicitly establishes this independence.

As I have just said, the department will continue to provide corporate support to TASC in the same way as it currently does for the TQA.

The Minister's current capacity to direct the TQA in regard to its functions and powers has been further clarified so that he or she can only provide policy expectations rather than the ability to direct how TASC exercises its functions and powers.

While TASC is independent in exercising its functions and powers, there are strong accountability requirements. The Executive Officer will be a State servant and will be bound by the State Service Principles and Code of Conduct. In regard to accreditation of senior secondary courses, TASC will have to exercise its functions within the parameters of a Senior Secondary Accreditation Framework, which I will describe in a moment. TASC will also be required to produce an annual report, which will be publicly available.

The functions of TASC are almost the same to those of the TQA. The Office will continue to:

- Provide consolidated statements of qualifications
- Provide leadership in strategic planning for qualifications management
- Accredite all relevant courses for senior secondary education
- Ensure that certification issued meets approved standards
- Provide quality assurance to maintain the rigorous standards of the qualifications it issues
- Conduct and moderate assessment for senior secondary courses and issue the Tasmanian Certificate of Education
- Ensure the collection, recording and distribution of data
- Provide advice to the Minister on matters relating to qualifications

As such there will be no real change to the current functions. This means, for example, that TASC will continue the important role of managing senior secondary examination processes.

This legislation also clearly defines the role of the department in managing data on behalf of TASC and provides for demographic data and data on attainment, educational outcomes, retention and assessment to be collected, collated and provided to schools and sectors for the benefit of their students. The data will remain TASC's responsibility but will be managed on its behalf by the department for all school sectors. The model allows for specific expertise for years 11 and 12 data to be established in the department to support this work. TASC will continue the very important role of public reporting on student achievement in years 11 and 12.

In regard to data management, the department currently has a successful process in place to facilitate NAPLAN reporting for all students including those in non-government schools. This approach will be replicated in regard to data provided to TASC. It will be protected for privacy in the same way that NAPLAN data is currently. The Bill provides for further collaboration and sharing between sectors by way of Memoranda of Understanding if they wish to in the future. This arrangement has a number of benefits and presents opportunities for further collaboration between the sectors to support student learning.

There are other benefits in this approach as current arrangements mean that the management of student data is not seamless. For example, the Department of Education currently collects and analyses data to inform state and federal governments, departmental staff and the Tasmanian community about the effectiveness of programs and strategies aimed at improving educational outcomes for students in kindergarten to year 10 in government schools. This includes reporting on literacy and numeracy levels and benchmarks, and developing the data warehouse to provide government schools with valid, reliable and timely data to support student learning and school improvement. The TQA collects and publishes data in relation to student achievement in years 11 and 12 courses, and the systems and processes are different to the department's. The proposed changes will improve the management of K-12 student data and associated processes. This change supports the Government's agenda of a K-12 approach to education.

There are also potential opportunities to improve data flow for non-government schools over time.

It is in the area of senior secondary course accreditation that the most change has been made.

In the absence of clear responsibilities for senior secondary curriculum development, the TQA has until recently undertaken this function. It has also continued with its

legislated function of accrediting such courses. The new arrangements provide a stronger governance model by clearly separating these functions. Curriculum development will occur at arms' length from the accreditation process. TASC's formal role will be limited to the accreditation aspect of the process, which will occur within the parameters of a Senior Secondary Accreditation Framework that will be developed.

In this regard, TASC is required to develop a Senior Secondary Accreditation Framework, which the Minister will approve. The purpose of the framework is to provide clear, transparent requirements by which courses will be consistently assessed for provision to Tasmanian students. This means that those developing courses in all learning areas will have a very clear understanding of what standards they are required to meet and what their course is required to provide in order to be accredited. TASC is required by the legislation to publish the Framework. This breadth and depth of transparency has not been available in this State before now.

The TQA has been on a long journey to improve standards in Tasmania and this must continue. To support this effort the TQA has developed a number of documents or guides to assist those developing courses. However these are only part of the framework envisaged under the new model. I would expect the framework to build on the work of the TQA and include such matters as the principles that underpin any work, timeframes for the accreditation process, priorities, comparability of student achievement, and literacy and numeracy standards as well as matters such as the requirements course writers must meet. It also provides an opportunity to reassess current arrangements to ensure they remain appropriate.

In this regard, ACACA (Australasian Curriculum Assessment & Certification Authorities), the national body of heads of organisations such as the TQA, has considered the principles that should underpin certification and assessment arrangements in a 2011 discussion paper. And it is these sorts of ideas I would expect to be considered and discussed as part of developing the Framework. The principles outlined in the paper are intended to reflect the idea that the effectiveness of an assessment and certification process lies primarily in its capacity to drive excellence in student learning, that valid and reliable measurements are essential, but they are a means to an end, not an end in themselves. The end is excellence in student learning. The principles also stress the importance of supporting the practice of teachers, involving them in senior secondary assessment processes to assist with public acceptance of the legitimacy of such processes, and at the same time maintaining community acceptance by being sufficiently independent of individual providers. These sorts of ideas will inform the development of the Accreditation Framework.

While the curriculum development and accreditation functions are separate, they are inter-related and connections will need to be made between them.

An advisory council will be established by the Minister to ensure that TASC is supported in developing the framework, and that the end users are able to have input

into the development of the framework. This council will have a core membership of those with educational expertise from the three school sectors, TasTAFE and the University of Tasmania. Additional members may be appointed where there is a strong rationale for that involvement. For example, Tasmanian businesses have a keen interest in ensuring the standards students must meet are rigorous and must have confidence in the processes underpinning student results.

It is expected that the advisory council will be constituted by representatives at the highest levels of the participating organisations who are able to act in a strategic planning capacity and with expertise at a strategy and policy level in the areas of course accreditation, educational standards and qualifications and student assessment. It is also expected that the advisory council and the Executive Officer will operate in a collegial manner, sharing ideas and input to develop a cohesive and practical Senior Secondary Accreditation Framework.

The Executive Officer is entitled to attend meetings of the Advisory Council but does not have a vote. The Advisory Council will have a chair appointed by the Minister from within the Council. This is important because of the highly expert nature of the Advisory Council's work.

TASC is to consult with this Advisory Council and is required to seek a report from it in relation to the proposed framework. TASC must then provide the Minister of the day with both its recommendations AND the report of the advisory council before the Minister approves the framework.

Those important stakeholders can take comfort that their voices will always be heard in relation to this matter, and not just that of TASC.

As I indicated earlier, the Advisory Council is intended to be a high level advisory body with broad representation across the areas of the education community which are affected by the accreditation of years 11 and 12 courses. It is an independent body of educational experts who would be expected to have relevant current expertise. It is intended to be an independent body which is to advise and assist TASC and the Minister in relation to the development, review and implementation of the senior secondary accreditation framework. Under this model responsibility does not rest in one area but is the collective responsibility of those involved. I am pleased that stakeholders such as TasTAFE and the University are keen to be involved and see real advantages in the new arrangements.

I want to be clear that neither the Advisory Council nor the Minister will accredit courses in the way the TQA does now. The Minister's role is at the highest level in approving the Accreditation Framework based on the best advice from the Advisory Council and TASC. TASC will then perform and exercise its functions and powers in a manner that is consistent with the Framework. This provides appropriate checks and balances throughout the system.

A transitional provision has been included so that current arrangements for accreditation continue until such time as the Accreditation Framework has been approved.

The legislation allows TASC to set up committees to provide expert advice to TASC. This means, for example, that the Executive Officer could bring together a group of people with subject and accreditation expertise to review individual courses as part of the accreditation process. Currently, the nine members of the Tasmanian Qualifications Authority are essentially asked to be experts in every area of course provision and development. This new process is designed to take advantage of the wider expertise we have available to us in the broader education community. I would also, for example, expect the Executive Officer to establish a number of specific committees as soon as the new arrangements commence such as a quality assurance and audit committee and an academic integrity committee to deal with allegations of student cheating. This could, for example, draw membership from specialists at the University who deal with this issue to formulate best practice processes.

Students in this State have a right to expect that the best available people will be involved in supporting curriculum, accreditation, assessment and certification processes, and this model provides that opportunity.

I said earlier that the best interests of students have been at the forefront in our minds in developing the model. I want to just briefly talk about the arrangements from a student perspective. Firstly, a student in years 11 or 12 now will see no difference as transitional provisions have been developed to ensure a seamless transition to the new model. In the first instance the policies of the TQA will become the policies of TASC. It will be business as usual for external assessment. Over time the community will see a coherent approach to curriculum provision and course development that links school with further education and the workforce to meet Tasmania's social and economic needs and at the same time ensures independent and rigorous assessment and certification processes.

The two aspects of this Bill – a curriculum development framework, and the establishment of TASC and an accreditation framework are inter-related and interdependent. The strength in the model is that it provides a coherent approach for senior secondary education for Tasmania with the whole system owning it and taking responsibility for it while maintaining the independence of the accreditation process through TASC.

Madam Speaker, the Government fully supports the introduction of this Bill.

I commend the Bill to the House.